ATTORNEY GENERAL
MINISTER OF JUSTICE

Room 104
Legislative Building
Winnipeg, Manitoba, CANADA
R3C 0V8

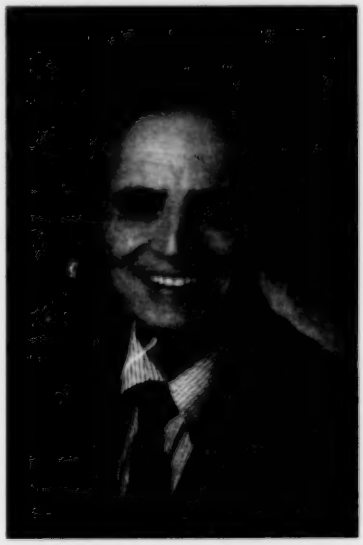
His Honour the Honourable Philip S. Lee, C.M., O.M.
Lieutenant Governor of Manitoba
Room 234, Legislative Building
Winnipeg, Manitoba
R3C 0V8

MAY IT PLEASE YOUR HONOUR:

It is my privilege to present for the information of Your Honour the *Annual Report* of Manitoba Justice and the Justice Initiatives Fund for the fiscal year ending March 31, 2009.

Respectfully submitted,

Honourable Dave Chomiak
Minister of Justice
Attorney General



Manitoba

Justice

Deputy Minister of Justice and Deputy Attorney General
Room 110 Legislative Building, Winnipeg, Manitoba, Canada R3C 0V8

Honourable Dave Chomiak
Minister of Justice
Attorney General
Room 104, Legislative Building
Winnipeg, Manitoba
R3C 0V8

Dear Minister:

I am pleased to present the *Annual Report* of Manitoba Justice and the Justice Initiatives Fund for the period April 1, 2008 to March 31, 2009.

The department has been engaged in a variety of activities to strengthen key priorities during the 2008/2009 fiscal year, particularly maintenance of the integrity of the justice system, safer communities, Aboriginal justice and offender accountability.

Making investments to maintain the integrity of the justice system was a focal priority for the department in 2008/2009. The two keynote initiatives in this priority area during the year were the Inquiry into the investigation, prosecution and justice services provided to the families in relation to the death of Crystal Taman, and an associated initiative to strengthen provincial policing legislation.

- The Taman Inquiry hearings took place during the summer of 2008 and Commissioner Salhany issued his final report to the government in September 2008. The government expressed support for the report's recommendations and steadily moved toward their implementation during 2008/2009. Allegations against East St. Paul police members were referred to RCMP "E" Division for further investigation. The RCMP immediately took over management of the East St. Paul Police Service and it was subsequently transitioned to an RCMP detachment. A commitment was made to strengthen victim services by amending *The Victims' Bill of Rights* to expand the rights of parents and children of deceased victims and to clarify the ability of victims to give their views on matters relating to the prosecution of charges and require prosecutors to give those views serious consideration. Victim services were also enhanced to provide more guidance to those wishing to submit a victim impact statement for consideration. The Provincial Court Liaison Committee was tasked with providing advice on amending prosecutions' policies in connection with guilty pleas and plea bargains. The independent prosecutor process was also strengthened.
- In October 2008, the government committed to strengthening and modernizing the legislation that governs policing in Manitoba. By February 2009, the province launched public and stakeholder consultations on aspects of a new *Police Services Act* including: (1) the establishment of a civilian police commission to oversee the rules and standards of policing; (2) the development of an independent unit of qualified investigators with a civilian director to investigate allegations of serious incidents involving police officers; and

(3) the establishment of police boards to oversee local police. By the end of the fiscal year, consultations by way of public meetings had taken place in Brandon, Thompson, Morden and Winnipeg. Meetings were also undertaken with a variety of stakeholders including Aboriginal organizations, academics, police leaders, municipalities and other community organizations, along with the review of over 30 written submissions to the government's website and consultation team.

Manitoba Justice remained steadfastly committed to initiatives contributing to safer communities during the year. Significant amendments to *The Criminal Property Forfeiture Act* that provide the ability to seize, freeze and sell property obtained by or used in crime came into force in December 2008 and steps began to establish a dedicated unit. This legislation, combined with the resources invested in a new Criminal Property Forfeiture Unit, will give the province a potent tool in its continuing efforts to destabilize organized crime. Five new Lighthouse sites also opened their doors in 2008/2009, bringing the grand total to 55 active Lighthouse sites across the province. Research has shown that Lighthouses prevent crime by supporting youth and providing community-based recreation opportunities and thus are a core element of the department's objective to enhance crime prevention partnerships.

On the topics of Aboriginal justice and offender accountability, two major accomplishments are deserving of note. Peguis First Nation was added as a circuit point of the Provincial Court in October 2008. The Peguis circuit court provides services to the Peguis, Fisher River and Jackhead First Nation communities and sits twice a month. The addition of this circuit allows for Aboriginal people in these communities to have greater involvement in the court process and links with justice committees, elder panels and other local resources. Offender accountability was also strengthened during the year with the implementation of a youth electronic monitoring pilot project. The project uses global positioning system (GPS) technology to continually supervise very high-risk young auto thieves while they are in the community.

A notable honour for the department in 2008/2009 was the recognition of Justice staff in being awarded with two government-wide service excellence awards. Dianna Scarth, Executive Director of the Human Rights Commission, was awarded the leadership award for her role in motivating others to embrace fairness, neutrality and accountability in a matter that is progressive, accessible and flexible. Manitoba Justice personnel also formed a core part of the team that was honoured with the government's inaugural partnership award. Teresa Brown, Adrien De Ruyck, Judge Mary Kate Harvie, Kristy Semaniuk and Dan Neault were the Manitoba Justice recipients of the team partnership award for their contributions in operating Manitoba's unique Fetal Alcohol Spectrum Disorder (FASD) Youth Justice Program.

The progress we have made during 2008/2009 in strengthening key departmental priorities has been achieved through the efforts of our knowledgeable and skilled staff, and I am confident they will continue to meet the challenges ahead with the same commitment and resolve.

Respectfully submitted,

Jeffrey Schnoor, Q.C.
Deputy Minister of Justice
Deputy Attorney General

Manitoba
spirited energy

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Introduction

With headquarters in downtown Winnipeg on historic Broadway, Manitoba Justice is responsible for the administration of civil and criminal justice in Manitoba. Key responsibilities flow from provincial legislation such as *The Department of Justice Act*, *The Correctional Services Act*, *The Legal Aid Manitoba Act* and *The Victims' Bill of Rights*. In addition the department has significant delegated responsibility under federal legislation, as a result of the *Constitution Act, 1867*, which includes most notably the *Criminal Code* and the *Youth Criminal Justice Act*. Manitoba Justice is also responsible for the administration and enforcement of over 100 other provincial statutes[1] relating to civil law, court administration, correctional services, regulatory provisions and other matters for which the province assumes legal responsibility.

Manitoba Justice, a large department with over 3,000 employees, provides a diverse range of services to Manitobans through many regional offices, facilities and operations. Department staff come from a wide variety of backgrounds, including lawyers, correctional officers, managers, administrators, financial officials, law enforcement specialists, information technologists, social workers, teachers, nurses, human resource officers, paralegals, and clerical and support staff.

Report Structure

The *Annual Report* of Manitoba Justice is organized in accordance with the department's appropriation structure. An appropriation is an amount of money voted by the Legislative Assembly of Manitoba to provide for operation of a program during a fiscal year (April 1 through March 31). The total appropriation for Manitoba Justice (known as the main-appropriation) is broken down into sub-appropriations for the specific divisions, branches and areas of the department.

The activities of every branch or section are outlined in this report. It includes information at the main and sub-appropriation levels for the department's objectives, actual results achieved, financial performance and major variances. It also provides a five-year historical table giving the departmental expenditures and staffing. Expenditure and revenue variances are explained. Reports and financial information are also provided for affiliated boards, agencies and commissions, some of which issue their own annual reports.

The report also includes information on the department's capital investments and projects supported by the Justice Initiatives Fund. Separate sections summarize the department's performance reporting and sustainable development activities. A new section on disclosures of wrongdoing by employees was added in 2007/2008.

To maintain consistency among government-wide reporting documents, all dollar amounts contained in the financial tables and narratives are expressed to the nearest thousand dollars. For example, thirty-five thousand one hundred dollars is shown as 35 $(000s). Staffing resources are reported in the form of full-time equivalents (FTEs).

Vision and Mission

The vision of Manitoba Justice is a safe, just and peaceful society supported by a justice system that is fair, effective, trusted and understood.

Our mission is to promote a safe, just, and peaceful society by:

- providing a fair and effective prosecution service
- managing offenders in an environment that promotes public safety and rehabilitation
- providing mechanisms for timely and peaceful resolution of civil and criminal matters
- providing legal advice and services to government
- providing programs which assist in protecting and enforcing individual and collective rights
- providing support and assistance to victims of crime
- promoting effective policing and crime prevention initiatives in our communities

[1] See Appendix I for a complete list of acts administered by the Minister of Justice.

We seek to carry out this mission on the basis of the following guiding principles that are critical to the functioning of our democratic society:

- We recognize that in the exercise of our authority we at all times act in trust for the public.
- We accept that our system of justice is based on the rule of law and a respect for the rights of individuals as well as the rights of the community as a whole.
- We seek to promote an open and accessible system of justice that treats all persons fairly and with respect.
- We recognize the diversity in our society and the need to be responsive to that diversity, especially in regards to Aboriginal persons.
- We value communication, co-operation and interdependence and recognize the need to involve government and non-government partners in the development of integrated approaches to the administration of justice in Manitoba and throughout Canada.
- We respect and value the role the public can play in the delivery of justice and in the shaping of our institutions and programs.
- We believe in promoting the individual's responsibility to the larger community.
- We support the development of preventive approaches to problems and the prompt and just resolution of conflicts.

The department's strength comes from its employees. We are committed to building a department that promotes a respectful work environment and that recognizes employees' commitment, performance and achievements. We value personal integrity, leadership, responsibility, participation and teamwork. We encourage outstanding client and community service, initiative and innovation.

To fulfil its role and mission, Manitoba Justice is organized administratively into the following six divisions: Administration and Finance, Legislative Counsel, Courts, Corrections, Prosecutions and Criminal Justice. Finances are, however, voted under six main appropriations: administration and finance (04-1), criminal justice (04-2), civil justice (04-3), corrections (04-4), courts (04-5) and costs related to capital assets (04-6).

As illustrated on the organization chart, each operating division is led by an assistant deputy minister (ADM) or equivalent. The departmental structure includes a number of branches, offices, arm's length bodies and special operating agencies (SOA). Special operating agencies are service operations within departments granted more direct responsibility for results and increased management flexibility in order to encourage initiative and improve service delivery.

Administration and Finance

The administration and finance appropriation (04-1) includes the department's executive and administrative support activities. It consists of two major components: executive administration and operational administration.

Executive administration is comprised of three sub-appropriations identified as minister's salary, executive support and policy development and analysis. These areas provide leadership and direction to the department's operational divisions.

The operational administration component forms the Administration and Finance Division of Manitoba Justice. The division is responsible for the department's administrative support and fiscal planning and control functions. It also provides financial and human resource services, facilities management, procurement, fleet vehicles, parking, records management and the development and maintenance of computer systems.

Executive Administration Component

Minister's Salary

The funds voted for minister's salary provide for additional compensation to the Member of the Legislative Assembly (MLA) appointed to Executive Council (Cabinet) as the Minister of Justice.

The Minister of Justice is also the Attorney General for Manitoba. The attorney general's role is that of chief law officer for the province and the official legal advisor to the Lieutenant-Governor in Council and members of Cabinet. The responsibilities stemming from this role are unlike those of any other Cabinet member.

As minister of justice, the minister represents the interests and perspectives of Manitoba Justice at Cabinet, while simultaneously representing the interests and perspectives of Cabinet to the department and the department's communities of interest.

As attorney general, the minister is the chief law officer of Manitoba. The minister plays a special role in advising Cabinet to ensure the rule of law is maintained and that Cabinet actions are consistent with the law and the *Constitution Act, 1867*.

1 (a) Minister's Salary

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	45.0	1.00	45.0	0	

Executive Support

Executive support includes the staff and operation of the offices of the minister and deputy minister who provide management direction and leadership to the department. Activities include advising the minister on policies and emerging issues affecting the department, developing departmental policy, managing departmental activities and projects, and providing administrative services.

The Deputy Minister of Justice and Deputy Attorney General is the administrative head of the department, responsible for managing the day-to-day operations. As the senior public servant in the department, the deputy minister works with a team of assistant deputy ministers and executive directors. The team, in turn, draws on the extensive accumulated knowledge of departmental personnel.

The deputy attorney general is the deputy chief law officer for the province, following the attorney general as chief law officer. The deputy attorney general, for example, can prefer an indictment under the *Criminal Code*

directly in the Court of Queen's Bench, Manitoba's superior trial court. There are also other discretionary prosecutorial powers given in law that the deputy attorney general may use.

1 (b) Executive Support

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	896	9.00	592	304	1
Total Other Expenditures	137		97	40	1

Explanation:

1. *Variance is mainly due to salary and operating costs for the special counsel on organized crime and the special advisor to the deputy minister.*

Policy Development and Analysis

The mandate of the Policy Development and Analysis Branch is to:

- provide justice policy advice, develop legislation and help develop programs that advance departmental objectives
- coordinate issues having cross-divisional, cross-government or intergovernmental implications
- research and document provincial positions on needed changes to the *Criminal Code*
- provide program and administrative support for the Community Notification Advisory Committee and the Manitoba sex offender website
- act as the department's primary resource for research into issues that affect the justice system

To fulfill this mandate, the branch:

- conducts research and develops justice policy options
- co-ordinates preparation of briefing material for the minister and deputy minister and helps prepare for federal-provincial-territorial (FPT) meetings
- acts as the departmental liaison to the Canadian Centre for Justice Statistics (CCJS), analyzes CCJS reports and represents the department at FPT meetings of the National Justice Statistics Initiative Liaison Officers Committee
- provides research, analytical and administrative support for the Community Notification Advisory Committee
- represents the department at FPT meetings of the Co-ordinating Committee of Senior Officials (Criminal Justice) and leads and participates in other FPT committees and working groups
- assists in developing Manitoba's resolutions for the Criminal Section of the Uniform Law Conference of Canada
- examines and comments on federal criminal law initiatives
- leads and participates in development and implementation of legislation
- participates in Manitoba Government interdepartmental working groups and committees
- provides policy assistance to other divisions in the development of programs, such as assisting the Criminal Justice Division in the re-development of *The Provincial Police Act*, and in the development of criteria for program evaluation

The following are examples of some of the special projects in which the branch participated during 2008/2009:

- led the development and implementation of amendments to *The Highway Traffic Act* to introduce increased sanctions for street racing
- led the development of amendments to *The Highway Traffic Act* to apply provincial sanctions for new *Criminal Code* impaired driving offences
- led the development and implementation of *The Gunshot and Stab Wounds Mandatory Reporting Act*
- played a leading role in the development of *The Witness Security Act*
- assisted Manitoba Health in developing *The Testing of Bodily Fluids and Disclosure Act*
- played a leading role the development and implementation of amendments to *The Criminal Property Forfeiture Act*

- assisted in the development of legislation to create a new provincial *Police Services Act* for Manitoba
- participated in a variety of national working groups and consultations on changes to criminal law and on collection of justice data, including the FPT Impaired Driving Working Group, the FPT Cybercrime Working group, the FPT Criminal Procedure Working Group and the FPT Sentencing Working Group, and co-chaired the FPT Organized Crime Working Group
- assisted the Prosecutions Division in conducting case file reviews arising from the recommendations of the Driskell Inquiry
- assisted the Manitoba Prosecutions Service by reviewing and updating prosecution policies
- analyzed and prepared briefing material for the department on the reports released by the Canadian Centre for Justice Statistics between April 1, 2008 and March 31, 2009

1 (c) Policy Development and Analysis

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	Estimate 2008/09 FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	423	5.00	462	(39)	
Total Other Expenditures	154		139	15	

Operational Administration Component

The Administration and Finance Division of Manitoba Justice is responsible for the department's operational administration. The division is led by an executive director with oversight of three branches: financial and administrative services, human resource services and computer services.

The executive director of the division exercises a governance role and oversees grant funding provided to Legal Aid Manitoba, which functions as an independent Crown corporation. The executive director is also the designated officer for receiving and investigating disclosures made by Justice employees under *The Public Interest Disclosure (Whistleblower Protection) Act*.

Although not the largest division, the support services provided by Administration and Finance Division have a significant overall impact on the daily operations of the department.

Financial and Administrative Services

The Financial and Administrative Services Branch is comprised of three main groups: financial services, administration services and corporate services.

The financial services group assembles and co-ordinates the department's budget, processes all accounts payable, and monitors, evaluates and reports expenditures to senior management. It exercises a comptrollership function to ensure that all revenues are properly accounted for, and that all expenditures are made and reported in accordance with government policies and generally accepted accounting principles.

The administrative services group oversees the department's administrative operations and reporting. Responsibilities include procurement in general, annual sustainable development procurement action planning and reporting, contracts, leases for space and equipment, fleet vehicles, physical asset inventories, accommodations and capital project requests, staff parking, security, insurance, accommodation cost recoveries, workplace safety and health, and related staff training.

The corporate services group co-ordinates freedom of information access requests and compliance with *The Freedom of Information and Protection of Privacy Act* (FIPPA) and *The Personal Health Information Act* (PHIA). It also provides leadership and support to a number of special cross-divisional projects such as the development of the department's annual strategic plan, sustainability indicators reporting, performance reporting, and workload indicator development and reporting. Corporate services also manages departmental records and maintains the Manitoba Justice Internet website at www.gov.mb.ca/justice.

1 (d) Financial and Administrative Services

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	Estimate 2008/09 FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	1,241	20.00	1,306	(65)	
Total Other Expenditures	391		337	54	

Human Resource Services

The Human Resource Services Branch provides a comprehensive human resource management and consultation service to all divisions and branches of Manitoba Justice, including its Special Operating Agencies. Major responsibilities include recruitment, selection and retention of employees, job development and organizational planning, employee and labour relations, contract and policy interpretation, pay and benefits, staff development, diversity/employment equity consulting, human resource planning, career counselling, supportive employment, as well as consultation on a wide variety of human resource initiatives and issues. It assists in the collective bargaining process with the Manitoba Government and General Employees Union (MGEU), the Corrections Component of the MGEU, the Manitoba Association of Crown Attorneys (MACA) and the Legal Aid Lawyers Association (LALA). Recruitment for Manitoba Justice is conducted through delegated authority from the Civil Service Commission (CSC).

Activities within the areas of responsibilities identified above include: managing payroll and employee benefit records, participation in strategic planning, liaison between corporate and departmental policy and programs, advice and consultation on employee orientation, performance and career advancement, employee recognition, staff and organizational development, renewal planning, and workplace wellness. Specific programs coordinated through the branch include: the Supportive Employment Program, French Language Services, leadership development, respectful workplace and employment equity/ diversity Initiatives.

In the area of employment equity, Human Resource Services contributes to attracting and retaining a diverse workforce through inter-cultural training, internship programs, employment outreach and development of tools and practices for managing a diverse workforce. The department has been successful in 2008/2009 in exceeding the 14 per cent corporate benchmark for Aboriginal representation in its workforce. In the area of recruitment, efforts to improve workforce diversity within Manitoba Justice have continued with the use of preferred and designated competitions.

In 2008/2009, the branch completed 196 competitions and 358 job classification reviews.[2] Branch staff were also involved in 75 formal grievances and numerous arbitrations, appeals, employee/labour relations issues, investigations and mediations. In addition, 319 staff from across the department, including management, attended 489 training courses offered by the government's Organization and Staff Development (OSD) agency which involved over 663 days of training. Many staff also participated in internal training at divisional levels, which included such topics as suicide intervention, Aboriginal awareness, coaching for competency, managing performance, CPR and first aid, staffing skills for managers, case management, respectful workplace, motivational interviewing, values and ethics and peer coaching.

1 (e) Human Resource Services

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	Estimate 2008/09 FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	1,398	22.50	1,546	(148)	
Total Other Expenditures	215		194	21	

[2] Compensation Services Branch, Labour Relations Division, Treasury Board Secretariat, Department of Finance became responsible for the evaluation and classification of all bargaining unit and excluded positions effective February 2, 2009.

Computer Services

The Computer Services (Information Systems) Branch provides vision and leadership in the use of technology to assist the department in accomplishing its goals. The branch either directly provides, or obtains from central government, the required services or resources to identify, develop, implement and maintain technology solutions that assist program areas in the delivery of effective services. The branch also has the responsibility of leading the department in an annual prioritization of initiatives that have indicated a benefit from the incorporation of technology. This process results in an allocation of the department's resources and is intended to maximize alignment to the department's overall priorities and strategies.

The department's long-term strategy for developing justice computer systems is referred to as the co-operative justice initiative. This strategy develops independent system modules to meet critical operational needs, while maintaining a technological framework that allows for an easy flow of data between them and promotes future integration and sharing of functionality. This approach is seen as the most effective and fiscally responsible method of applying systems and technology solutions to a number of separate but cooperative entities that must work effectively together without compromising their independence from each other. Significant efforts have been made to ensure that all technology components support the program areas' immediate requirements and are consistent with the department's long-term strategies.

The co-operative justice project continued to be a major focus of the Computer Services Branch in 2008/2009. This initiative will enable the provincial criminal court system (CCAIN), the prosecutions and victim services system (PRISM), and the corrections offender management system (COMS) to exchange information and significantly enhance the processes requiring inter-divisional co-operation. It will also enable the electronic exchange of information with external partners and agencies such as the Winnipeg Police Service, Brandon Police Service and the RCMP. Another major initiative is focused on the modernization of the Maintenance Enforcement Program's computer system. Development of the new Manitoba Maintenance Management Program (M^3P) began during the year and is based on an application obtained from the Province of Alberta. Reconfiguring an existing application from another jurisdiction is expected to reduce the overall cost and time to complete the project.

The government-wide restructuring of how information and communication technology (ICT) services are delivered within the Manitoba government continues to evolve. The philosophy of the restructuring initiative is that efficiencies can be accomplished through the sharing of ICT resources between departments. To achieve this aim, technical resources (including salaries and FTEs) were transferred from Manitoba Justice in 2006/2007 and centralized into Information and Communication Technology Services Manitoba (ICTSM), a division of Manitoba Science, Technology, Energy and Mines.

Later sections of the report will provide additional detail on information system initiatives being undertaken in the divisions.

1 (f) Computer Services

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	1,226	6.00	1,315	(89)	
Total Other Expenditures	666		860	(194)	1
Recoverable from Part B – Capital	(149)		(149)	0	

Explanation:

1. Normal hardware and software upgrades were delayed pending completion of ICTSM restructuring.

Criminal Justice

The criminal justice appropriation (04-2) finances two divisions within Manitoba Justice: the Criminal Justice Division and the Manitoba Prosecutions Service. The appropriation also funds the Office of the Chief Medical Examiner.

Administration

Administration provides executive direction and support to the Criminal Justice Division. This does not, however, include the Manitoba Prosecutions Service or the Office of the Chief Medical Examiner.

2 (a) Administration

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	226	4.00	393	(167)	1
Total Other Expenditures	49		49	0	

Explanation:

1. Variance is the result of the new security coordinator and security guard registry positions being vacant until year end.

Manitoba Prosecutions Service

Led by an assistant deputy attorney general (ADAG), the Manitoba Prosecutions Service has a total of 195.80 staff FTEs. This is comprised of 4.00 management/legal positions (including the ADAG), 113.50 legal positions and 78.30 professional/administrative support staff positions (including the director of business operations). The division is responsible for the prosecution of criminal offences in Manitoba. These offences include provincial statutes, *Criminal Code* and some federal charges, as well as prosecutions under the *Youth Criminal Justice Act*.

Crown attorneys also review police reports and advise police on charges and procedures. Crown attorneys provide lectures and seminars to the police and the general public on justice issues. Each year, the division hires five articling students and provides excellent training in criminal litigation throughout their term.

The division is organized into four branches.

Winnipeg Prosecutions

The General Trial Unit of Winnipeg Prosecutions prosecutes all preliminary hearings and trials in Winnipeg which are not the responsibility of one of the specialized units, or are not resolved during the intake process through referral to a community justice program, guilty plea or other alternative program.

The Community Prosecutor and Youth Court Unit are also a part of Winnipeg Prosecutions.

Regional Prosecutions and Legal Education

Regional Prosecutions offices are based in Brandon, Dauphin, Portage la Prairie, The Pas, and Thompson. Regional Crown attorneys prosecute all adult and youth offences arising in regional court locations. In conjunction with lawyers from Winnipeg, prosecutions are conducted in over 60 other communities throughout Manitoba.

The branch also provides a division-wide continuing legal education program to ensure all Crown attorneys receive updated education to enable them to fulfil their roles as prosecutors.

Specialized Prosecutions and Appeals

This branch comprises Crown attorneys who are working in a number of units, including: General Counsel; Domestic Violence, which prosecutes cases of spousal and elder abuse and child exploitation; Commercial Crime; Provincial Statute; and the Review Board, which reviews and monitors the status of not criminally responsible (NCR) accused. The branch also includes the Criminal Organization and High Risk Offender Unit (COHROU), which consists of both the Gang Unit and the High Risk Offender Unit. The branch also reviews referrals of files for consideration of appeal and represents the Crown at appeal hearings in the Manitoba Court of Appeal and Supreme Court of Canada.

Business Operations

The Business Operations Branch manages the division's finances, facilities, the Central File Registry, technology and general administration. Strategic and policy advice is also provided to the assistant deputy attorney general on issues affecting the division.

Workload

The number of files (including charges laid and requests for Crown opinions) opened in Prosecutions over the past five years is as follows:

- 40,362 in 2004
- 39,536 in 2005
- 46,662 in 2006
- 45,012 in 2007
- 46,964 in 2008[3]

New Initiatives

During 2008/2009, the Prosecutions Division continued its ongoing participation and support for expansion of the Provincial Court Front End Project. In response to the February 2008 implementation of the Front End Project to include youth and adult non-domestic out of custody matters, Prosecutions dedicated significant time during the year to fine tune Crown processes to accommodate the new court requirements.

While the division completed its streamlining project during the year, recommendations that addressed collaboration with outside agencies remained ongoing. Prosecutions also continued to work on disclosure issues and initiated a project with the Winnipeg Police Service in March of 2009 with the goal of increasing the timely exchange of disclosure materials from the WPS to the Crown. It is anticipated that the scope of this project will be expanded in the future to address additional items of mutual concern to both organizations.

In response to the Taman Inquiry recommendations, Prosecutions revised its outside counsel policy and increased the cadre of lawyers responsible for managing prosecutions with potential conflicts.

2 (b) Manitoba Prosecutions Service

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	Estimate 2008/09 FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	16,648	195.80	16,975	(327)	
Total Other Expenditures	3,820		3,240	580	1
Total Witness Programs & Grants	989		742	247	2

[3] While Manitoba Prosecutions Service opened 46,964 files in the 2008 calendar year, the Provincial Court processed 84,620 new adult and youth charges in the 2008/2009 fiscal year. The primary reason for the difference is that Manitoba Prosecutions Service statistics refer to files and Courts Division statistics refer to Informations. Manitoba Prosecutions Service can have one file that encompasses a series of charges relating to one incident. As well, Manitoba Prosecutions Service statistics do not include federal offences (such as the *Controlled Drugs and Substances Act* and the *Immigration and Refugee Protection Act*), municipal charges such as bylaw offences, or charges laid as private prosecutions. It is also important to note that Prosecutions Division currently reports file statistics on a calendar year basis while Courts Division reports charge statistics on a fiscal year basis.

Explanation:

1. *Variance includes travel costs to Thompson relating to staff shortages, Crown circuit travel costs, purchases of Blackberry units to improve efficiency and personal safety, and increases in various operating expenses including records management, office supplies and legal search software.*
2. *Variance is primarily due to the increase in transcription fees associated with an increase in Crown demand.*

Provincial Policing

This sub-appropriation funds the Royal Canadian Mounted Police (RCMP) for providing provincial policing in Manitoba under the authority of *The Provincial Police Act*. RCMP services are provided under contract through the federal/provincial *Provincial Police Service Agreement* (PPSA). The RCMP also provides police service to the majority of the province's larger municipalities under municipal policing agreements negotiated directly between the municipalities and the federal government. Through 84 rural and 22 municipal detachments across the province, the RCMP enforces federal and provincial statutes and municipal by-laws and administers crime prevention programs in rural municipalities, cities, towns, villages, First Nations communities and local government districts that do not provide their own police service.

This sub-appropriation also provides funding for First Nations policing in Manitoba. Currently, 15 of 63 First Nations communities in Manitoba have policing agreements. Canada and Manitoba share costs for the agreements through an established sharing formula: 52 per cent from Canada and 48 per cent from Manitoba. The Dakota Ojibway Police Service (DOPS), a stand-alone Aboriginal police service, polices five First Nations communities: Birdtail Sioux, Canupawakpa, Sioux Valley, Sandy Bay and Roseau River. The RCMP, under the First Nations Community Policing Service (FNCPS), polices ten First Nations communities (an increase from nine in 2007/2008): Chemawawin, Swan Lake, Waywayseecappo, Opaskwayak, Nisichawayasihk, Peguis, Berens River, Poplar River, Bloodvein and Buffalo Point. The Aboriginal Community Constable Program (ACCP) is also funded by this sub-appropriation. The ACCP funds specific RCMP members working in First Nations communities that do not have policing agreements with either the Province or Canada. These members are cost shared 46 per cent from Canada and 54 per cent from Manitoba. Future expansion of First Nations policing in Manitoba is contingent on availability of federal funding.

This sub-appropriation provides funding for DNA testing, the Manitoba Integrated Organized Crime Task Force, the Auxiliary Constable program, as well as funding support for some municipal police services.

2 (c) Provincial Policing

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Other Expenditures	95,387		95,499	(112)	
Recoverable from Rural Economic Development Initiative (REDI)	(2,000)		(2,000)	0	

Aboriginal and Community Law Enforcement

The Aboriginal and Community Law Enforcement branch coordinates and administers the province's law enforcement objectives, priorities, programs and policies, the province's contracts with the RCMP, municipal and Aboriginal police services and the licensing of the private investigator and security guard industry. The branch negotiates and implements all policing agreements within Manitoba on behalf of the province, and represents the Department in law enforcement forums at national and international levels. The department's High Risk Witness Management Program and the Public Safety Investigations Unit are also managed by the branch.

Private Investigators and Security Guards

Aboriginal and Community Law Enforcement is responsible for administration of *The Private Investigators and Security Guards Act*. Under the act the registrar licenses and ensures compliance with the act by all security guard and private investigation companies, as well as individual security guards and private investigators. During 2008/2009, the department licensed 58 private investigator/security guard companies and registered 59

employers of in-house security guards that employed 2,800 employees. The registrar also manages the appointment of approximately 1,100 special constables under *The Provincial Police Act*.

Public Safety Investigations

Aboriginal and Community Law Enforcement includes a special unit that investigates complaints and conducts inspections under *The Safer Communities and Neighbourhoods Act* and *The Fortified Buildings Act*. These acts target properties that affect the safety and security of neighbourhoods in various ways, including fortifications that prevent access or escape, habitual use for prostitution, production, sale and/or use of drugs, abuse of intoxicants, child sexual exploitation or child sexual abuse, the storage of illegal weapons and explosives, or selling liquor without a license. The Public Safety Investigations (PSI) Unit has a manager, seven investigators, two video analysts and a registrar. The unit investigates complaints and applies for community safety orders under *The Safer Communities and Neighbourhoods Act*. PSI also conducts inspections and serves removal or closure orders under *The Fortified Buildings Act*.

In 2008, PSI received 343 complaints under *The Safer Communities and Neighbourhoods Act*. Following investigation, 70 drug, prostitution and solvent operations involving 88 separate complaints were closed. Two complaints were referred to another agency, 60 complaints were closed due to insufficient evidence and 32 complaints remain under active investigation. Three owners removed fortifications from their property following an inspection conducted under *The Fortified Buildings Act*.

High Risk Witness Management Program

The High Risk Witness Management Program (HRWM) provides support and protection to high risk witnesses as identified by law enforcement personnel and prosecutors. The program has accepted 99 cases involving 184 individuals since its inception in 2002. In 2008, 19 new cases involving 48 individuals were added to the 10 cases still being actively managed in this program. Sixteen cases were closed through the court process in 2008 and all but one closed case concluded with a conviction. There were no new admissions to the federal government's Witness Protection Program[4] during 2008. At the end of 2008, the HRWM was managing 13 active cases.

Law Enforcement Training

The branch is responsible for the allocation of federal Canadian Police College courses amongst Manitoba's police services and assisting smaller municipal police agencies in gaining access to accredited police training institutions. Training programs for private security guards and for municipal by-law enforcement officers with special constable appointments are also the responsibility of the branch.

2 (d) Aboriginal and Community Law Enforcement

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	Estimate 2008/09 FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	1,245	25.00	1,649	(404)	1
Total Other Expenditures	530		686	(156)	1
Total Programs	174		285	(111)	2

Explanations:

1. *Variances were due to cost recoveries, temporary vacancies and voluntary reduced work week.*
2. *Under expenditure is a result of lower costs per client as volume has remained stable in the province's High Risk Witness Management Program.*

[4] The provincial HRWM program is designed for short term issues ranging from weeks up to and including four years, as well as an interim step prior to entry into the federal program. The federal program is managed by the RCMP and is designed to accommodate longer term needs.

Victim Services

The Victim Services branch provides a wide range of services to clients throughout Manitoba, including domestic violence and child victims and victims of the most serious crimes, as outlined under *The Victims' Bill of Rights* (*VBR*). The branch consists of 52 staff that are based out of Winnipeg, Portage la Prairie, Brandon, Selkirk, Dauphin, The Pas, Thompson, Lac du Bonnet and Morris. Crime victim services workers (CVSWs) attend all 69 court centres and circuit locations throughout the province.

Crime victim services workers:

- explain the criminal justice process and advise victims of their options, rights and responsibilities
- provide information and assistance to victims of crime about the incident, their eligibility for victim impact statements and other victim assistance programs
- ensure accurate information is provided to victims about possible financial assistance
- provide short-term counselling and connect victims and their families with community resources
- identify and assess high-risk cases and promote victim safety through protection planning
- work with criminal justice professionals in other areas to coordinate and improve victim access to the criminal justice system
- provide written correspondence to Crown attorneys about victims' concerns
- provide court support and help to victims so that they can understand legal decisions

The following programs are included within the Victim Services branch: Victim Rights Support Service; Child Victim Support Service; Domestic Violence Support Service; Domestic Violence Intervention Unit; Cellphone Emergency Limited Link-up (CELL) Program; Protection Order Designates Service; Victim/Witness Assistance; Compensation for Victims of Crime; and the Victims' Assistance Trust Fund.

Highlights of branch accomplishments in 2008/2009 include:

- In partnership with the departments of Family Services and Housing, and Labour and Immigration, Victim Services developed the *WISE (Workplace Initiative to Support Employees)* on Family Violence Program. This program promotes family violence awareness and encourages employers to create policies that support affected employees.
- Victim Services secured funding from Justice Canada's Policy Centre for Victim Issues to review current policies and practices concerning the Manitoba Victim Impact Statement Program in order to provide recommendations for improved service delivery.
- Victim Services also secured federal funding to translate the *Support for Victims of Crime Overview* brochure into Arabic, Chinese, Tagalog, Cree, German, Ojibwa, Punjabi and Spanish, create a child-friendly court preparation booklet, and update the *Stalking is a Crime* brochure to integrate materials on cyberstalking and related topics.
- In 2008/2009, Victim Services provided funding to the Swan Valley Committee for the Elimination of Sexual Abuse in an effort to ensure better access to counselling for adult survivors of sexual abuse who reside in the North Parkland region.
- Victim Services continued to actively participate in efforts to develop a multi-disciplinary, child-focused Child Advocacy Centre for abused and maltreated children.
- Domestic violence intervention counsellors continued to work closely with the Winnipeg Police Service and the number of home visits provided by the program continues to increase.

Victim Rights Support Service (VRSS)

The Victims' Bill of Rights (VBR) specifies the rights of victims of the most serious crimes in their dealings with police, prosecutors, courts and corrections officials. The first phase of the *VBR* came into force in August 2001 and has since expanded to include 26 of the most serious crimes. An evaluation of the *VBR* conducted in 2006/2007 revealed that Manitoba Justice leads victims' legislation by:

- being the most detailed on the rights of victims
- specifying prescriptive rights as opposed to provisions
- identifying the specific responsibilities of each of the various service providers

CVSWs help victims register for their rights and explain how and when they may exercise them. In 2008/2009, VRSS provided service to 501 victims.

Child Victim Support Service (CVSS)

The Child Victim Support Service helps victims and witnesses of abuse (up to 18 years of age), adult survivors of sexual abuse and other vulnerable victims (on a case-by-case basis) who are involved in the criminal court process. CVSWs identify and alleviate children's fears in relation to the court experience and assist children to develop coping skills for their appearance in court. In 2008/2009, CVSS offered services to 1,241 victims.

Domestic Violence Support Service (DVSS)

The Domestic Violence Support Service helps victims of domestic violence when criminal charges have been laid, or may be laid against their partners. CVSWs explain the cycle of violence, how the cycle may affect victims and their families and how to escape from it. They also help victims to develop protection plans to increase their personal safety. In 2008/2009, DVSS served 4,615 victims.

Protection Order Designates Service

The Domestic Violence and Stalking Act allows victims of stalking or domestic violence to apply for protective orders. Victim Services provides training to community service agencies so that their staff may become designated to assist protection order applicants. To date, 32 agencies have participated in training. There are currently over 75 Protection Order Designates (PODs) in 16 communities across the province.

Domestic Violence Intervention Unit (DVIU)

Established in Winnipeg in 2006, the Domestic Violence Intervention Unit offers support to families who receive police services for domestic violence incidents that occur in Winnipeg, but do not result in charges or arrests. Specially trained workers assist individuals and their families to increase their safety by providing meaningful and appropriate information, support, advocacy and referral. An evaluation completed in 2007 yielded positive results. In 2008/2009, DVIU responded to 10,989 matters.

Outside of Winnipeg, CVSWs provide services to victims of serious crime (as defined under the *VBR*), victims of domestic violence and child victims/witnesses. Although no formal DVIU program is in place outside of Winnipeg, CVSWs will assist in no-charge domestic violence matters when requested to do so by police.

Cellphone Emergency Limited Link-Up Program (CELL)

The program is a co-operative effort between MTS, Nokia, UTStarcom, social services agencies, police services and Manitoba Justice. A provincial coordinator, in cooperation with 28 social service agencies throughout the province, manages the CELL program, which provides cellphones on a short-term basis to victims of domestic violence and stalking who are deemed to be at very high risk of violence. The phones (68 in total) are pre-programmed to dial emergency services. Thirty-seven high-risk victims of domestic violence accessed the program during 2008/2009.

Victim/Witness Assistance

Victim/Witness Assistance provides support services to victims and witnesses of crime who are subpoenaed to appear in either Provincial Court or Court of Queen's Bench. Victims/witnesses receive a variety of services, including:

- assistance with filling out victim impact statements
- court orientations and accompaniments
- court cancellation notifications
- reimbursement of expense claims

In six separate cases in 2008/2009, independent lawyers were paid through the program to represent the interests of sexual assault victims where defence counsel applied to the court for access to the victim's counselling and/or other records.

Victims' Assistance Trust Fund (VAF)

The Victims' Assistance Trust Fund (VAF) was created in 1986 for the purpose of promoting and delivering services to victims. Since the proclamation of *The Victims' Bill of Rights* (*VBR*) in 2001, Manitoba Justice has continued to provide internal support services to victims of crime as well as grants to police-based and community-based programs.

Funds are generated from provincial and federal surcharges applied to fines or sentences set by the courts. In 2008/2009, the department provided $190 from the Victims' Assistance Trust Fund to police and community agencies that provide services to victims. In 2008/2009, police-based programs that received grants included Brandon Police Victim Services and Pembina Valley Victim Services. Community-based programs that received grants included the Manitoba Organization of Victim Assistance (MOVA), Research and Education Solutions for Violence and Abuse (RESOLVE), TRUST (Together, Recognize and Understand Sexual Trauma), Age and Opportunity, Inc. (Older Victim Services), Sexual Assault Discussion Initiative (SADI) and Aurora Family Therapy Centre.

2 (e) Victim Services

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	3,089	49.50	3,205	(116)	
Total Other Expenditures	565		621	(56)	
Grants	164		190	(26)	

Compensation for Victims of Crime

Under the authority of *The Victims' Bill of Rights* (*VBR*), the Compensation for Victims of Crime Program provides compensation for personal injury or death resulting from certain crimes occurring within Manitoba.

A claim may be filed by a person who is an innocent victim of a criminal incident or a surviving dependant of a person killed as a result of a crime. Compensation can include income replacement, funeral expenses, training and rehabilitation expenses, medical/dental costs and grief counselling for survivors of homicide victims. In 2008/2009, the program processed 922 new applications for compensation. It also provided services to approximately 126 long-term pension and wage loss claimants. Total compensation costs for the 2008/2009 fiscal year were $3,688.

2 (f) Compensation for Victims of Crime

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Other Expenditures	4,275		2,945	1,330	1

Explanation:

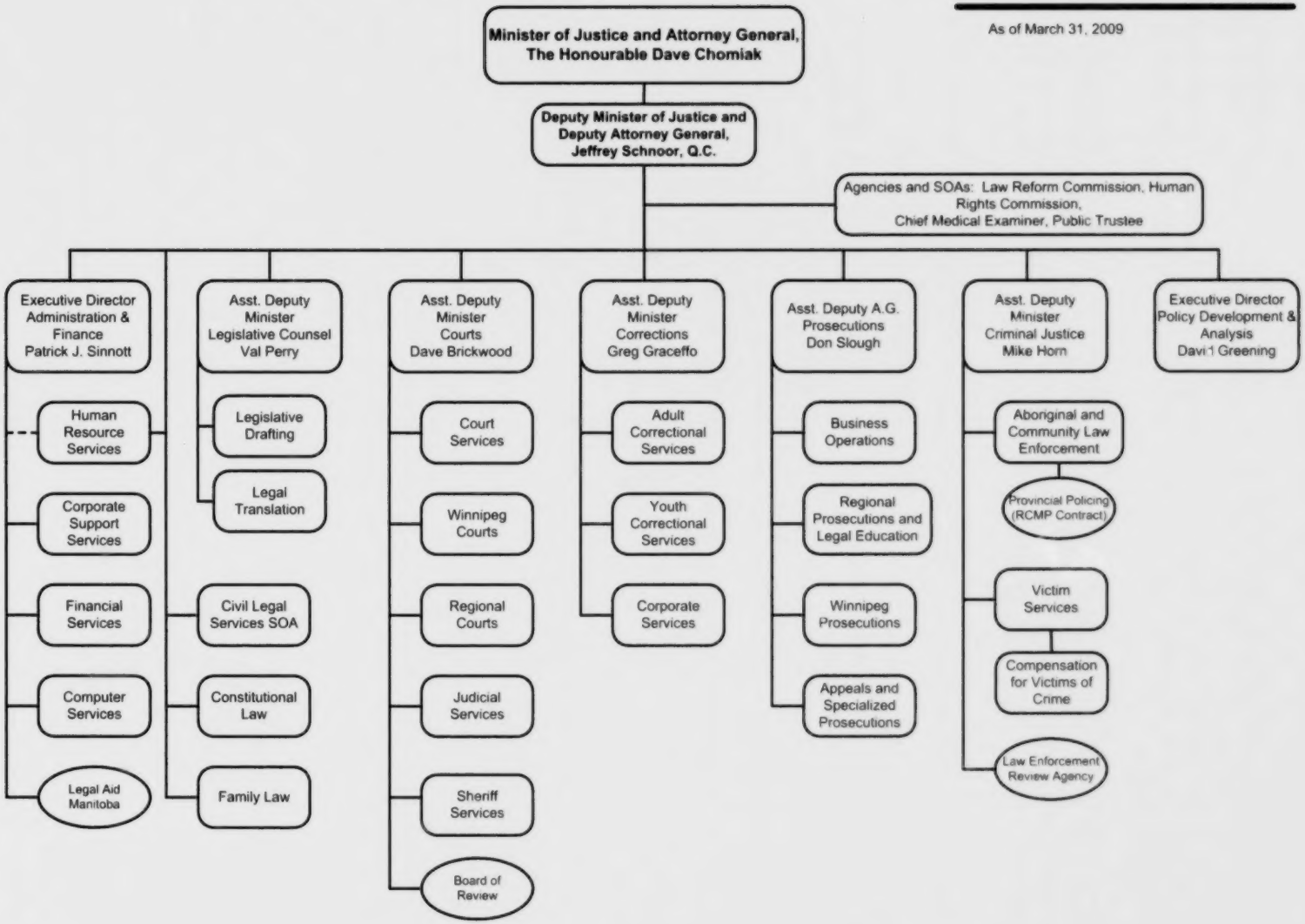
1. *Variance is primarily due to an increase in the liability for future payments and in-year compensation payments resulting from more claims pertaining to serious personal harm offences.*

Law Enforcement Review Agency

The Law Enforcement Review Agency (LERA) is an independent civilian agency established under *The Law Enforcement Review Act* to investigate public complaints of abuse of authority by municipal and local police.

Manitoba Department of Justice
Organization Chart

As of March 31, 2009


Minister of Justice and Attorney General, The Honourable Dave Chomiak
Deputy Minister of Justice and Deputy Attorney General, Jeffrey Schnoor, Q.C.
Agencies and SOAs: Law Reform Commission, Human Rights Commission, Chief Medical Examiner, Public Trustee
Executive Director Administration & Finance Patrick J. Sinnott
Human Resource Services
Corporate Support Services
Financial Services
Computer Services
Legal Aid Manitoba
Asst. Deputy Minister Legislative Counsel Val Perry
Legislative Drafting
Legal Translation
Civil Legal Services SOA
Constitutional Law
Family Law
Asst. Deputy Minister Courts Dave Brickwood
Court Services
Winnipeg Courts
Regional Courts
Judicial Services
Sheriff Services
Board of Review
Asst. Deputy Minister Corrections Greg Graceffo
Adult Correctional Services
Youth Correctional Services
Corporate Services
Asst. Deputy A.G. Prosecutions Don Slough
Business Operations
Regional Prosecutions and Legal Education
Winnipeg Prosecutions
Appeals and Specialized Prosecutions
Asst. Deputy Minister Criminal Justice Mike Horn
Aboriginal and Community Law Enforcement
Provincial Policing (RCMP Contract)
Victim Services
Compensation for Victims of Crime
Law Enforcement Review Agency
Executive Director Policy Development & Analysis David Greening

A registrar, clerk and four investigators assist the commissioner of LERA in handling complaints about municipal and local police conduct that arise in the execution of police duties. LERA does not investigate criminal matters. Such matters are referred to the appropriate law enforcement agency.

The act provides several ways to resolve complaints: informal resolution (mediation); admission of disciplinary default by the respondent police officer; or where evidence exists, referral to a Provincial Court judge for public hearing.

The office investigated 260 complaints during 2008/2009, as compared to 303 in 2007/2008. More information on LERA is available in the agency's annual report, published in English and French, and on LERA's website at www.gov.mb.ca/justice/lera.

2 (g) Law Enforcement Review Agency

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	423	7.00	484	(61)	1
Total Other Expenditures	124		145	(21)	

Explanation:

1. Variance is due to a vacant position early in the fiscal year, a delayed retirement, and underfilled positions.

Office of the Chief Medical Examiner

The Office of the Chief Medical Examiner (OCME) investigates all violent, unexplained, unexpected and suspicious deaths in Manitoba, including the deaths of all children and residents of personal care homes and developmental centres, under the authority of *The Fatality Inquiries Act* (FIA). The OCME attempts to identify situations of risk. Under the FIA, certain deaths require mandatory inquests. The purpose of an inquest, held by a provincial judge, is to make recommendations that will improve the safety and benefit of others by preventing future deaths under similar circumstances. When an inquest is not called, the chief medical examiner (CME) may make recommendations to the minister, government departments or agencies and others with respect to precautions or measures to prevent a similar death. In previous years, in circumstances where a deceased child or his/her parent or guardian was in receipt of services from a Child and Family Services agency within one year of the death, the OCME reviewed the actions of the agency involved and prepared a written confidential report to the Minister of Family Services and Housing.[5] The OCME also handles all reports of unclaimed bodies in Manitoba under *The Anatomy Act*.

The Minister of Justice, upon the recommendation of the chief medical examiner, appoints Manitoba physicians as medical examiners. They have authority under the FIA to authorize autopsies and recommend inquests as necessary. There are 53 medical examiners in Manitoba, 17 of whom are located in Winnipeg.

The OCME has a staff of 13, including seven full-time death investigators. During 2008/2009, a total of 5,804 deaths were reported to the OCME. The office investigated and certified 1,617 of these deaths, conducted 4,187 inquiries, ordered 1,162 autopsies and called two inquests. The CME collaborates with foreign universities to provide specialized training to physicians taking post-doctoral studies in forensic pathology. One post-doctoral fellow is accepted yearly and conducts approximately 250 autopsies under the supervision of the CME. The office handled 57 reports of unclaimed bodies. Approximately 3,500 requests for information are received annually.

Concerning services received by deceased children and/or their parents/guardians, the OCME opened 18 new cases from April 1, 2008 to September 14, 2008 and prepared 25 comprehensive reports, including cases from previous years, for the Minister of Family Services and Housing. These comprehensive reports were prepared by special investigators located at the OCME but funded under the Office of the Children's Advocate until the transition date.

[5] The legislative requirement to prepare these reports was transferred to the Office of the Children's Advocate as of September 14, 2008.

More information on the OCME is available in the annual statistical report prepared by the office. The OCME also provides an annual report to the Minister of Justice on deaths occurring while in custody, deaths of involuntary residents of psychiatric facilities and deaths of residents of developmental centres; and to the Minister of Health on the disposition of unclaimed bodies. To obtain a copy of a report, please contact the general office at 204-945-2088 or toll free at 1-800-282-8069.

2 (h) Office of the Chief Medical Examiner

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	844	13.00	816	28	
Total Other Expenditures	2,322		2,155	167	
Flin Flon Smelter Inquest	150		323	(173)	1

Explanation:

1. *The inquest resumed in the spring of 2008 and hearings proceeded for two months instead of the original estimate of three months.*

Taman Inquiry

The Honourable Roger E. Salhany, Q.C., a retired judge of the Ontario Superior Court, led the Taman Inquiry into the investigation, prosecution and justice services provided to the families in relation to the death of Crystal Taman.

The objectives of the inquiry were:

- to inquire into the conduct of the police investigations surrounding the death of Crystal Taman on February 25, 2005
- to inquire into whether all aspects of the prosecution of Derek Harvey-Zenk, including the Crown's position on sentence, were conducted in accordance with the professional and ethical standards expected of lawyers and agents of the Attorney General
- to inquire into whether the services provided to the family of Crystal Taman were sufficient having regard to the requirements of *The Victims' Bill of Rights*
- to give advice on whether findings on any of the above matters gives rise to a need for further study, review or investigation and, if so, by whom
- that the commission will complete this inquiry and deliver a final report containing findings, conclusions and recommendations to the Attorney General on or after September 30, 2008

The commissioner's report was released to the public on October 6, 2008. All of the commissioner's recommendations were accepted by the Minister of Justice. The commissioner's report and other information about the work of the commission is available on the internet at www.tamaninquiry.ca.

2 (i) Taman Inquiry

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Other Expenditures	1,944		2,000	(56)	

Justice Initiatives Fund – Criminal Justice

This section lists Justice Initiative Fund (JIF) expenditures from the criminal justice appropriation. In some years this section may also include expenditures from the administration and finance, and civil justice appropriations. Please see the Justice Initiatives Fund section of this report for more information on these programs.

2 (j) Justice Initiatives Fund

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	Allocation 2008/09 FTE	Allocation 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Legal Aid – FASD Youth Accommodation Pilot Project	30		30	0	
Legal Representation – Matthew Dumas Family	23		25	(2)	
Total	**53**		**55**	**(2)**	

Civil Justice

The civil justice appropriation (04-3) is comprised of the Manitoba Human Rights Commission, the Family Law Branch, the Constitutional Law Branch, Legal Aid Manitoba, and a grant to the Manitoba Law Reform Commission. Legislative Counsel, albeit a separate division of the department, is also a part of the civil justice appropriation.

Manitoba Justice's two special operating agencies – Civil Legal Services and the Public Trustee – are also discussed in this section.

Manitoba Human Rights Commission

The Manitoba Human Rights Commission is an independent agency of the Manitoba government. It has a mandate, under *The Human Rights Code*, to restrict unreasonable discrimination and to promote equality of opportunity. The commission enforces the provisions of *The Human Rights Code*, promotes human rights and develops and delivers human rights education programs throughout Manitoba.

A board of 10 commissioners, appointed by the Lieutenant-Governor in Council, establishes policies and disposes of complaints. Commission offices are located in Winnipeg, The Pas and Brandon.

The commission received approximately 5,000 inquiries from the public during the 2008 calendar year. It disposed of 290 formal complaints and 51 matters were resolved through pre-complaint conciliation. This reflected a settlement rate of 44 per cent and a dismissal rate of 32 per cent. Twenty-one per cent were withdrawn or abandoned, and one per cent was terminated for other reasons. While 5 complaints were referred to adjudication, no hearings were held during year. The highest proportion of complaints registered at the commission continued to be on the basis of physical and mental disabilities at 40 per cent.

Significant accomplishments during the year included two systemic settlements, which will improve the lives of many people with disabilities in Manitoba. As a result of the negotiated settlement facilitated by the Manitoba Human Rights Commission, the social allowance room and board rate was increased by 28 per cent, effective in April 2009, bringing it in line with the rate paid when someone lives with a non-relative. This change recognizes the important contributions families make in providing care and support to their loved ones with disabilities. As well, it promotes independence for adults with disabilities and greater family stability. The second settlement was an agreement with the City of Winnipeg that will benefit people with disabilities when they are attempting to cross streets at controlled intersections. This settlement will result in all intersections with pedestrian traffic signals eventually having audible cues.

The commission also continued to work on its Racialized Communities and Police Services Project (RCAPS Project) in partnership with researchers from the University of Winnipeg. The working committee met twice with the new Chief of Police in June and September 2008 and with the RCAPS Advisory Committee in January and April 2009.

Approximately 580 people registered for all the commission's seminars, which were held in Winnipeg and Brandon. Outreach presentations about human rights protections and the commission were delivered to an additional 1,800 people.

In celebration of the sixtieth anniversary of the United Nations Universal Declaration of Human Rights, the commission, in partnership with the Manitoba Association for Rights and Liberties and the Canadian Human Rights Commission, held a one day conference entitled *Into the Future* on December 10, 2008 - International Human Rights Day. The annual Human Rights Commitment Awards of Manitoba and the Sybil Shack Human Rights Youth Award were presented at a dinner later that evening.

The commission hosted four human rights youth conferences in 2008; two in Winnipeg, one in Brandon and another in The Pas. The last one, which was held in Winnipeg, also celebrated the sixtieth anniversary of the United Nations Declaration of Human Rights. Over 200 students and teachers from across the province attended the conference and later carried the "Peace by Piece Banner" to the Legislative Building for its unveiling on the Grand Staircase. Students from all regions of Manitoba had worked on pieces of this banner over the last year.

The banner travelled full circle by April 2009 with its return to northern Manitoba where work first began on it in early 2008.

More detailed information on the activities of the Manitoba Human Rights Commission is available in its separate annual report which is available on the commission's bilingual website at www.manitoba.ca/hrc.

3 (a) Manitoba Human Rights Commission

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	1,473	21.00	1,430	43	
Total Other Expenditures	465		433	32	

Legislative Counsel

Legislative Counsel prepares all Manitoba statutes and regulations in English and French. The division's two branches, Legislative Counsel and Legal Translation, are headed by the Legislative Counsel, who is an assistant deputy minister and also the law officer of the Legislative Assembly.

Legislative Counsel Branch

This group provides legal advice to all government departments on drafting bills and regulations. It prepares final texts of all laws for publication and puts current versions of the laws on the government website at web2.gov.mb.ca/laws. It also provides bills on the Legislative Assembly website at web2.gov.mb.ca/bills. The group also does periodic reviews to ensure the acts of the legislature are up-to-date.

Legal Translation Branch

The Legal Translation Branch provides a French language equivalent of all acts and regulations and the rules of courts and administrative tribunals. The branch also ensures all documents needed in the Legislative Assembly are available in English and French. This includes preparation of the French version of the orders of the day, votes and proceedings of the assembly, and rulings of the speaker.

3 (b) Legislative Counsel

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	1,903	22.00	1,937	(34)	
Total Other Expenditures	325		345	(20)	

Manitoba Law Reform Commission

The Manitoba Law Reform Commission (MLRC) is an independent agency of the Manitoba government established by *The Law Reform Commission Act*. The commission issues public reports on the modernization and improvement of provincial laws.

The commission has five members appointed by the Lieutenant-Governor in Council on the recommendation of the minister and is funded through grants from Manitoba Justice and the Manitoba Law Foundation.

The MLRC released six reports in 2008/2009.

The first was issued as part of a consortium. The MLRC is a member of the Western Canada Law Reform Agencies (WCLRA), a consortium of law reform agencies comprising the Alberta Law Reform Institute, the

British Columbia Law Institute, the Law Reform Commission of Saskatchewan and the MLRC. The WCLRA was formed to encourage harmonization of the laws of the four western provinces. In July 2008, the WCLRA published its report *Enduring Powers of Attorney: Areas for Reform*. The WCLRA report recommends improvements in the enduring power of attorney (EPA) statutes of all four western provinces to make it easier to use EPAs in cross-L rder situations, to promote wider understanding and knowledge of attorney duties, and to provide additional safeguards against attorney misuse of an EPA.

On August 20, 2008, the report entitled *Mandatory Arbitration Clauses and Consumer Class Proceedings* was released. This report examines mandatory arbitration clauses in consumer contracts that purport to bar consumers from commencing court actions including class proceedings.

On December 4, 2008, the report *Franchise Law* was released. In this report, the commission recommends the enactment of franchise legislation in Manitoba, and makes 58 further recommendations that the commissioners believe will protect the interests of franchisees and enable them to make more informed business decisions, while recognizing the commercial interest of franchisors.

The commission released its report *Enduring Powers of Attorney: Supplementary Report* on January 29, 2009. This supplementary report provides an overview of the impact of the WCLRA report *Enduring Powers of Attorney: Areas for Reform* on Manitoba's *Powers of Attorney Act*, and makes recommendations to ensure that donors' interests are protected and to clarify Manitoba statues in respect of enduring powers of attorney.

The commission released its report on *Posthumously Conceived Children: Intestate Succession and Dependants Relief: The Intestate Succession Act: Sections 1(3), 6(1), 4(5), 4(6) and 5* on March 5, 2009. The report recommends that *The Intestate Succession Act* and *The Dependants Relief Act* be amended to provide for inheritance by posthumously conceived children, and makes other recommendations for improvements to the Acts.

Finally, on March 31, 2009, the commission released a report entitled *Private International Law*. This report deals with two matters arising out of the Supreme Court of Canada Decision in *Tolofson v. Jansen*; *Lucas v. Gagnon*, namely choice of law for tort and the characterization of limitation periods, and with jurisdiction simpliciter and the concept of real and substantial connection pertaining thereto.

The commission was also engaged in the following projects during the year: waivers of liability for sporting and recreational activities; *The Limitation of Actions Act*; administrative board appointment processes; division of pension benefits between divorced spouses; compensation for loss of dower rights; and defamation law respecting journalism.

More information on the Manitoba Law Reform Commission, including its annual report is available on the Internet at www.gov.mb.ca/justice/mlrc.

3 (c) Grant to Manitoba Law Reform Commission

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Grant	85		85	0	

Family Law

The Family Law Branch provides ongoing family law legal services and advice to a number of government departments and programs, including the Maintenance Enforcement Program, Family Conciliation, the Director of Child and Family Support and three regional child protection agencies, Employment and Income Assistance and the Vital Statistics Agency. The branch develops family law policy, programs and legislative initiatives at the provincial level; and through the Co-ordinating Committee of Senior Officials (CCSO) – Family Justice, the Family Law Branch also plays an active role at the national level. The branch also works to increase awareness of family law initiatives and issues for the general public, the legal profession and law students.

Counsel provide Crown opinions/charging authorization in appropriate cases to law enforcement officials throughout Manitoba in parental child abduction cases. Counsel also deal with international child abduction situations falling under The Hague *Convention on the Civil Aspects of International Child Abduction*. The branch also handles government responsibilities under *The Inter-jurisdictional Support Orders Act*.

The following are examples of some branch activities during 2008/2009:

- continued work with federal, provincial and international officials to review the new international convention on maintenance obligations, including acting as provincial co-chair (legal) of the CCSO - Family Justice Working Group that is preparing a written analysis of the convention's compatibility with Canadian laws and assessing the operational and cost implications involved with implementation of this new international instrument
- continued active federal-provincial-territorial (FPT) work, including continuing as provincial co-chair (policy) of the CCSO - Family Justice and participating on numerous working groups
- participated in training and information sessions respecting *The Domestic Violence and Stalking Act* including a two day education program for judicial justices of the peace and sessions for protection order designates
- presented on inter-jurisdictional support and parental child abduction issues to intensive family law students at University of Manitoba, Faculty of Law
- presented at court workshops for child and family services workers
- presented at legal education sessions for various audiences including school social workers, members of the private bar and law enforcement
- participated in Department of Foreign Affairs and International Trade Consular Affairs Roundtable on Children's Issues (March 2009)
- participated on the Child Protection Advisory Committee to assist in developing a training manual for child serving organizations to use in establishing protocols and addressing issues around child sexual abuse
- revised, updated, published and distributed *Family Law in Manitoba, 2008* booklet in both print and online versions
- revised and updated family law related information on the Manitoba Justice website
- continued conduct of regular maintenance enforcement show cause hearings, including participation in the operation of the auto-order system at Winnipeg dockets
- continued conduct of video maintenance enforcement show cause dockets from Thompson
- continued work with Family Conciliation, providing comprehensive co-mediation services to parents and assisting with other Family Conciliation initiatives such as the First Choice Pilot Project and grandparent support
- participated in the development of legislative or related initiatives (e.g. Bill 34 *The Child and Family Services Amendment and Child and Family Services Authorities Amendment Act (Safety of Children)* which came into force on June 12, 2008).

The branch consists of a director, nine Crown counsel and four support staff.

3 (d) Family Law

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	Estimate 2008/09 FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	1,432	14.00	1,498	(66)	
Total Other Expenditures	190		164	26	

Constitutional Law

The Constitutional Law Branch provides the provincial government with efficient, cost-effective legal services on constitutional matters.

Branch counsel provide advice to government departments on constitutional issues when drafting programs and legislation. They also provide advice on language rights, Aboriginal and treaty rights, Aboriginal title claims,

Aboriginal consultation requirements, and constitutional issues of national concern. In 2008/2009, the branch provided a total of 276 constitutional opinions to various government departments.

Branch counsel also defend government programs and legislation before the courts in response to constitutional challenges in civil and criminal cases. A constitutional challenge means a law is being challenged in court to see if it violates or is inconsistent with the *Constitution Act*, including the *Canadian Charter of Rights and Freedoms*. In 2008/2009, the branch received 97 notices of constitutional challenge. Seventy notices (72 per cent) involved criminal cases while 27 notices (28 per cent) were constitutional challenges in civil claims against the provincial government.

During 2008/2009, branch counsel appeared in all levels of court in Manitoba and in the Supreme Court of Canada on a variety of constitutional challenges, including: Métis hunting and fishing rights, Métis land claims, *Remedies for Organized Crime and Other Unlawful Activities Act*, *Consumer Protection Act*, *Fisheries Act*, *Tobacco Tax Act*, *Securities Act*, *Non-Smokers Health Protection Act*, *Child and Family Services Act*, *Highway Traffic Act*, malicious prosecutions, firearms issues, the right to refuse consent for medical treatment, human rights complaints, French language services regulations, photo radar enforcement, impaired driving, federal/provincial tax collection, evidentiary and workplace safety issues, labour disputes, and media requests for access to court exhibits. Branch counsel also provided assistance to Prosecutions regarding constitutional issues raised in criminal cases including motions to exclude evidence, disclosure obligations and allegations of abuse of process.

The branch consists of a director, six Crown counsel and three support staff.

3 (e) Constitutional Law

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	1,016	10.00	1,027	(11)	
Total Other Expenditures	235		225	10	

Legal Aid Manitoba

Legal Aid Manitoba is an independent agency of the provincial government established by *The Legal Aid Manitoba Act*. The agency is managed by a management council consisting of at least seven but no more than nine members appointed by the Lieutenant-Governor in Council.

Legal Aid Manitoba provides three types of services: drop-in advice and information, formal representation and duty counsel. Formal representation is limited to serious criminal matters, serious immigration matters and many family matters; moreover, it is provided to individuals who meet financial eligibility guidelines. Duty counsel provide early stage legal representation for individuals who qualify financially, who are in custody or have been arrested or charged with an offence. Legal Aid Manitoba also has a number of special programs such as the Public Interest Law Centre, the Aboriginal Law Office and the University Law Office, as well as poverty law, northern paralegal and other outreach programs.

Highlights of agency accomplishments in 2008/2009 included:

- Legal Aid Manitoba developed a complexity weighted productivity measure that will be used by all staff lawyers effective April 1, 2009.
- Legal matters will replace certificates as the base unit for data input and statistical analysis effective April 1, 2009.
- The private bar fee tariff was increased by 40 per cent effective April 1, 2008.
- Legal Aid Manitoba successfully recruited articling students and junior lawyers in northern Manitoba allowing for the phasing out of more expensive contracts instituted in the previous fiscal year.
- The *Area Director's Manual* that governs the processing of legal aid applications, certificate issuances, refusals, and cancellations was updated, revised and subsequentiy posted on the agency's website under "Resources for Lawyers."

- Legal Aid Manitoba committed to team development training, retained a private consultant, and completed a plan for the implementation of the training. Several offices completed the training by the end of the fiscal year.

In 2008/2009, 21,887 people applied for legal aid. Of those, 20,747 were granted legal aid services (certificates) by a staff or private bar lawyer. In addition, 13,958 people were provided with informal advice and information and 39,979 were assisted by duty counsel. Thus, the total number of people assisted during the year was 74,684. The number of civil certificates issued in 2008/2009 was 5,627 compared to 5,690 in the previous year.

More information on Legal Aid Manitoba, including its annual report, is available on the Internet at www.legalaid.mb.ca

3 (f) Legal Aid Manitoba

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	9,803		10,024	(221)	1
Total Other Expenditures	10,493		10,543	(50)	

Explanation:

1. *Variance is primarily due to a significant surplus from vacant positions offset by a general salary increase for administrative and legal staff.*

Note: All staff positions assigned to Legal Aid are excluded from the departmental full time equivalent position count due to their crown corporation status.

Civil Legal Services

Civil Legal Services functions as the law firm to the provincial government. It provides legal services to all government departments, agencies, boards, commissions, committees and government corporations that do not have their own legal counsel. The role of Civil Legal Services flows from the constitutional and statutory responsibilities of the Attorney General as the chief legal advisor to government and the guardian of the public interest.

While Civil Legal Services commenced operation as a provincial government special operating agency (SOA) on April 1, 1995, it remains a branch within Manitoba Justice. Detailed information on the agency can be found in the *Annual Report of the Civil Legal Services Special Operating Agency*. This report is available on the Internet at www.gov.mb.ca/justice/publications/annualreports.

The Public Trustee

The Public Trustee provides trustee services for a fee to the people of Manitoba in situations where no one else is capable or willing to do so. The Public Trustee provides the following types of trustee services:

- administering estates and making personal decisions for people who are not mentally capable of doing so
- administering the estates of mentally competent people who have granted a power of attorney to the Public Trustee
- administering the estates of people who have died in Manitoba with no one else capable or willing to act as administrator
- administering trust monies for people under 18
- administering some adult trusts

While the Public Trustee commenced operation as a provincial government special operating agency (SOA) on April 1, 1996, it remains a branch within Manitoba Justice. Detailed information on the Public Trustee can be found in the agency's annual report. This report is available on the Internet at www.gov.mb.ca/justice/publictrustee/.

Corrections

As the largest division of the department, Corrections contributes to the protection of society by: administering sentences imposed by the courts, the humane care, control and reintegration of offenders into society, working with community agencies, government departments and other levels of government to implement crime prevention activities and policies and the encouragement of active community participation in achieving these objectives.

The corrections appropriation (04-4) is comprised of three sub-appropriations: Corporate Services, Adult Corrections and Youth Corrections.

During 2008/2009, the Corrections Division continued to face the challenge of accommodating high levels in the adult custody population. From 2007/2008 to 2008/2009, the average adult custody population increased five per cent. The three year cumulative increase from 2005/2006 to 2008/2009 was 22 per cent. The division also accommodated increasing levels in the youth custody population. From 2007/2008 to 2008/2009, the average youth custody population increased four per cent. The three year cumulative increase from 2005/2006 to 2008/2009 was 34 per cent.

Highlights of divisional activities in 2008/2009 included:

- The division continued to operate the auto theft suppression strategy in 2008/2009 in collaboration with Manitoba Public Insurance, the Winnipeg Police Service and the Manitoba Prosecutions Service. This four-tiered program seeks to turn low-risk offenders away from auto crime with a community-based intervention strategy. Supervision increases significantly as young offenders enter the high and very-high-risk groups.
- A gang suppression and prevention initiative called 'Spotlight' continued to operate in 2008/2009. This program is designed to combine close supervision and swift consequences with collaborative community services to help youth deal with substance abuse, stay in school or find a job. The Department also worked in partnership with the National Crime Prevention Centre to support five specific gang prevention initiatives in Winnipeg's inner-city. These programs are part of the three-pronged approach to reducing youth gang activity in the province through prevention, intervention and suppression initiatives.
- An additional five youth crime prevention Lighthouses were initiated during 2008/2009 bringing the provincial total to 55 Lighthouse sites.
- The Turnabout program which works with children under 12 that have come into contact with law was expanded to serve northern Manitoba families.
- The division continued to develop detailed design and development plans for the new women's correctional facility to be located in the Rural Municipality of Headingley. The new facility is expected by to be completed by the spring of 2011. In addition, the conversion and expansion of the Milner Ridge Correctional Centre to a medium risk facility was completed in March of 2009 resulting in increased adult bed space capacity of 150 beds. The division also continued to develop further expansion plans for a second phase of development at Milner Ridge Correctional Centre and Brandon Correctional Centre.
- The Youth Corrections Branch continued partnerships with community service providers and the National Crime Prevention Centre to support a program called 'Empowering Justice' to augment the existing auto theft suppression strategy. Using an ecological approach to crime prevention and social development, this initiative will prevent or reduce auto theft offences, enhance public safety, and provide meaningful assessments and interventions to auto theft offenders.
- A partnership was continued with Nova Scotia to develop the capacity to implement a pilot electronic monitoring program for up to 20 high-risk auto theft offenders.
- The division continued to carry out and develop a new case management strategy, policy and procedure.
- The division continued to discuss and develop proposals to address Aboriginal justice initiatives with the Manitoba Métis Federation (MMF), Southern Chiefs' Organization (SCO) and Manitoba Keewatinowi Okimakanak (MKO) during the year. Ongoing support was also provided to Onashowewin (a community-based Aboriginal justice program that provides community justice alternatives to both adult and young offenders) in Winnipeg, and the Community Holistic Circle of Healing in Hollow Water that delivers a holistic approach to address the community's justice needs including working with victims, victim support, offenders, offender support and the community.

Information on prison industry activities is provided in Appendix V.

Corporate Services

The Corporate Services Branch provides leadership to the division in co-ordinating the integration of services to all branches as well as strategic policy development, budget analysis and control, information system development and maintenance, co-ordination of chaplaincy and medical services, internal investigations, operational reviews and audits, training, program development, research and Aboriginal service development.

During 2008/2009, the training component of the Corporate Services Branch was responsible for training 206 new correctional officers for adult and youth custody facilities. This represents an increase of 14 per cent compared to 2007/2008 when 180 new correctional officers were trained.

4 (a) Corporate Services

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	Estimate 2008/09 FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	1,743	23.00	2,130	(387)	1
Total Other Expenditures	646		1,006	(360)	2

Explanation:

1. *Variance is due to a surplus from vacant positions.*
2. *Under expenditure reflects recruitment advertising delays as a result of two by-elections and a re-profiling of funding from Aboriginal community based probation services to an enhanced Aboriginal justice strategy.*

Adult Corrections

The Adult Corrections Branch manages adult offenders sentenced to less than two years[6] and remanded adult offenders. The branch also supports community justice measures and case manages offenders in the community and in custody.

The branch is responsible for the care and custody of adult offenders sentenced to prison for up to two years less a day, or detained in custody while waiting for a court decision (which is known as remand custody). It also provides services for offenders in custody to help them reintegrate into society. The branch operates seven correctional institutions: Milner Ridge Correctional Centre, Portage Correctional Centre for Women, The Pas Correctional Centre, Brandon Correctional Centre, Dauphin Correctional Centre, Headingley Correctional Centre and the Winnipeg Remand Centre.

Branch staff also manage court orders involving offender supervision in the community, preparing court reports and providing community justice as an alternative to the formal court process. Offender supervision in the community involves probation, conditional sentences, community service orders, fine option and behaviour intervention programs. Community justice approaches include mediation, conferences, forums and community justice committees. Community corrections offices for adult offenders serving their sentences in the community are located in Winnipeg and a number of rural centres across Manitoba.

The following are highlights of program volumes in 2008/2009:

- The average monthly adult probation and conditional sentence supervision caseload size in 2008/2009 increased to 6,224 from 5,958 from the previous year.
- Adult offender registrations in the fine option program decreased in 2008/2009 to 717 from 768 the previous year, while adult offender community service order registrations increased to 914 from 756 the previous year.
- The average daily adult custody population in Manitoba increased in 2008/2009 to 1,640 from 1,556 the previous year.
- The percentage of the total provincial custody population in remand status (69 per cent) continued to exceed the percentage of sentenced offenders (31 per cent).

[6] Offenders sentenced to two years or more in custody become the responsibility of the federal government (Correctional Service of Canada).

4 (b) Adult Corrections

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	Estimate 2008/09 FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	98,201	1,119.11	83,822	14,379	1
Total Other Expenditures	15,608		13,001	2,607	2
Total Programs and External Agencies	2,031		2,121	(90)	
Total Recoveries from Other Appropriations	(2)		(5)	(3)	

Explanations:

1. *Over expenditure reflects significant additional staff and overtime requirements as a result of high adult custody populations and a retroactive salary arbitration award.*
2. *Variance is due to requirements for additional volume sensitive items, particularly food, clothing, bedding, transportation and supplies, to accommodate high adult custody population levels.*

Youth Corrections

The Youth Corrections Branch is responsible for the continuum of services for youth involved with the law. The branch is directly responsible for the two youth institutions (Manitoba Youth Centre and Agassiz Youth Centre), probation services in Winnipeg, and policy direction throughout Manitoba on all other youth justice matters.

Branch staff manage court orders involving youth, prepare court reports and provide community justice as an alternative to the formal court process. Offender supervision in the community also involves new supervision orders under the *Youth Criminal Justice Act*. The branch is also responsible for community service orders, fine option, the Intensive Support and Supervision Program, the Youth Bail Management Program and behaviour intervention programs. Community justice approaches include mediation, conferences, forums and community justice committees. Community corrections offices, which provide support for young offenders serving their sentences in the community as well as young people who have been referred to community justice, are located in Winnipeg and a number of rural centres across Manitoba.

The Youth Corrections Branch is also responsible for the delegated authority of the provincial director under the *Youth Criminal Justice Act*. This involves a series of responsibilities, including issuing warrants, suspensions and changing levels of custody.

The following are highlights of program volumes in 2008/2009:

- The average youth probation supervision caseload size in 2008/2009 increased to 1,574 from 1,482 the previous year.
- Young offender registrations in the fine option program increased in 2008/2009 to 297 from 238 the previous year, while young offender community service order registrations decreased to 628 from 710 the previous year.
- There were 47 justice committees operating across the province during 2008/2009 and more than 500 volunteer committee members administered community justice (extra-judicial) measures and provided crime prevention and community education services in their communities.[7] In 2008, the six committees in Winnipeg became affiliated with Mediation Services Winnipeg which provides restorative justice services to the community.
- The average daily youth custody population in Manitoba increased to 265 in 2008/2009 from 254 the previous year. The average daily youth custody population level in 2008/2009 exceeded the youth custody population average in the year just preceding the April 2003 proclamation of the *Youth Criminal Justice Act* when the average youth custody population was 257.

The following are highlights of the branch's program development initiatives in 2008/2009:

- An auto theft suppression initiative was continued in collaboration with Manitoba Public Insurance, the Winnipeg Police Service and the Manitoba Prosecutions Service.

[7] In addition to the youth justice committees, the Youth Corrections Branch has other volunteers assisting in delivering correctional services in the community and in youth custody facilities. These activities include tutoring, bail supervision and other services.

- The gang suppression and prevention initiative called 'Spotlight' was continued in 2008/2009. This program is designed to combine close supervision and swift consequences with collaborative community services to help youth deal with substance abuse, stay in school or find a job. It is part of the three-pronged approach to reducing youth gang activity in the province through prevention, intervention and suppression initiatives.
- The branch continued a program called 'Empowering Justice' to augment the existing auto theft suppression strategy. Using an ecological approach to crime prevention and social development, this initiative will prevent or reduce auto theft offences, enhance public safety, and provide meaningful assessments and interventions to auto theft offenders. The program was implemented in cooperation with community service providers and the National Crime Prevention Centre.
- The branch continued a partnership with Nova Scotia to develop the capacity to implement a pilot electronic monitoring project for up to 20 high-risk auto theft offenders.
- Academic and mental health services delivered to youth were enhanced by the additional staffing resources provided at the Manitoba Youth Centre.

4 (c) Youth Corrections

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	Estimate 2008/09 FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	30,696	367.53	26,766	3,930	1
Total Other Expenditures	3,542		2,914	628	2
Total Programs and External Agencies	1,576		1,737	(161)	

Explanation:

1. *Over expenditure reflects additional staff requirements as a result of increased youth custody population levels, higher numbers of high risk offenders, and the payment of a retroactive salary arbitration award.*
2. *Variance is a result of requirements for additional food, transportation and supplies associated with an increase in youth custody population levels.*

Justice Initiatives Fund – Corrections

This section lists Justice Initiative Fund (JIF) expenditures through Corrections Division programs. Please see the Justice Initiatives Fund section of this report for more information on this fund.

4 (d) Justice Initiatives Fund

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	FTE	Allocation 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Aboriginal Community Based Probation Services	125		125		
Aboriginal Council of Winnipeg (ACW) and Southern Chiefs Organization (SCO) – Onashowewin	198		200	(2)	
Aboriginal Justice Strategy	343		337	6	
Crime Prevention	60		57	3	
Electronic Monitoring	122		122		
Healthy Child Manitoba	15		15		
Lighthouses	631		627	4	
New Directions for Children, Youth and Families	177		177		
Safe Schools Manitoba	66		66		
SafetyAid Crime Prevention for Older Manitobans	150		150		
Total	**1,887**		**1,876**	**11**	

Courts

The Courts Division manages the effective and efficient delivery of court services throughout the province. This includes criminal, family, civil, small claims and summary conviction court matters, court security, prisoner transport, civil enforcement of court orders, and operational support. These services are provided through the division's five branches: Court Services, Winnipeg Courts, Regional Courts, Judicial Services and Manitoba Sheriff Services. The courts appropriation (04-5) is comprised of five sub-appropriations for the division's five branches.

Division services are provided to three levels of court: the Court of Appeal, the Court of Queen's Bench (including the Small Claims Court) and the Provincial Court (including the Summary Convictions Court). (See Appendix II, III and IV for more information on Manitoba court locations and circuits.)

The division manages the Maintenance Enforcement Program (MEP) which enforces court orders and separation agreements that require payment of family support. If necessary, collection action may be taken, including interception of federal payments, garnishing orders, seizure of personal property, property liens, suspension of driving privileges, denial of passports and prosecution.

The division also manages the Fine Collection Program and the Restitution Program. The Fine Collection Program, on behalf of the province, municipal governments and the Victims' Assistance Trust Fund, processes, disburses and enforces provincial statute and *Criminal Code* fines that have been ordered by the court. If necessary, collection action may be taken if the fine is not paid voluntarily and within court prescribed time limits. This may include registering the debt with a third party collection agency or credit reporting agency, placement of holds on driver's licences and vehicle registrations, garnishing orders, property liens or property seizure. The Restitution Program monitors the payment of court ordered restitution (money owed to a victim of crime). If payment is not made, the program will advise Corrections Division staff for further action or charges, or advise the victim on the necessary steps to proceed to civil judgment.[8]

The Review Board forms part of the Courts Division. It is an independent panel established under the *Criminal Code* to deal with those charged with a criminal offence who have been found unfit to stand trial or have been found not criminally responsible because of a mental disorder.[9]

The division includes the Vehicle Impoundment Registry which is the administrative centre where the status of each vehicle seized in Manitoba is recorded. Detailed information on the Vehicle Impoundment Registry can be found in its annual report. To obtain a copy, call 204-945-4454 in Winnipeg.

The division has also provided operational support to the Helen Betty Osborne Memorial Foundation (HBOMF) since its inception in 2000. This foundation provides educational assistance to Aboriginal students attending Manitoba post-secondary institutions.

The division undertook a number of new initiatives in 2008/2009, some of which are described below.

- Court Registry and Suitors' Trust Systems – The Court Registry System tracks the filing of court documents and matters set before the Manitoba Court of Appeal and Court of Queen's Bench. In April 2008, the division completed the final stage of implementation so that all court centres in Manitoba can access and use the system. Case information from the Court Registry System is available on the Manitoba Courts' website at www.manitobacourts.mb.ca. In December 2008, a new Suitors' Trust System was implemented in all Manitoba Court of Queens' Bench court centres. The Suitors' Trust System controls the collection and disbursement of monies paid in and out of court.
- Peguis First Nation Circuit Court Location – In October 2008, Peguis First Nation was added as a circuit point of the Provincial Court. The Peguis circuit court provides services to the Peguis, Fisher River and Jackhead First Nation communities and sits twice a month. The addition of this circuit allows for Aboriginal people in these communities to have greater involvement in the court process and links with justice committees, elder panels and other local resources. The Peguis First Nation was specifically

[8] Restitution ordered solely to Manitoba Public Insurance (MPI) is excluded from this process. MPI monitors these restitution orders separately.

[9] In accordance with *The Public Sector Compensation Disclosure Act*, the six members of the Review Board received $69 in compensation in the aggregate and there were no board members that individually received compensation of $50 or more annually.

mentioned as a recommended location in section 6.6 of the *Aboriginal Justice Implementation Commission Report*.

- Automated Family Court Order (AFCO) Project – A new automated family court order system was implemented in the Court of Queen's Bench Master's Maintenance Enforcement Court in Winnipeg centre. The new system enables court orders to be produced during a maintenance enforcement court hearing and thereby eliminates the traditional delays in preparing and filing maintenance enforcement court orders.

The division continued its ongoing investment in the First Nations Justice Strategy (FNJS), as described below:

- Prior Learning and Recognition (PLAR) – Manitoba Keewatinowi Okimakanak (MKO), the government of Manitoba and the Centre for Education and Work are committed to exploring all opportunities to provide training in portfolio development for community justice workers. The portfolios are developed for the purpose of PLAR at post secondary institutions. It will also give the Manitoba Keewatinowi Okimakanak First Nations Justice Strategy (MKO-FNJS) a standard of practice in order to grant workplace certification to community justice workers. The virtual learning network was launched in 2006 and remains operational with particular emphasis on real-time communication tools. The virtual learning tool is available at www.communityjustice.ca.
- Manitoba Keewatinowi Okimakanak First Nations Justice Strategy (MKO-FNJS) – The MKO-FNJS is working to implement changes to the way that justice is administered in MKO First Nations communities in a manner that is culturally appropriate. This is done primarily through the use of community justice workers, community justice committees and volunteers. It focuses on restorative rather than retributive justice and utilizes healing, teaching, support and community restoration. In 2008/2009, Manitoba increased its grant to this program from $60 to $100 to enable MKO to increase its support in the communities it serves and develop other First Nation communities for expansion of their community justice services.

The following are other highlights of division initiatives in 2008/2009:

- Large Account Balance Program – In 2006/2007, the division implemented a program to target large balance accounts that have outstanding overdue fines totalling more than $2,000.00. The initiative is in its third year and collected $1.2 million during the fiscal year.
- Maintenance Enforcement Program – The program is currently in the process of replacing its outdated computer system and has purchased an application from the Government of Alberta to develop the new Manitoba Maintenance Management Program (M^3P). The department and ICT Services staff are currently working with CGI Information Systems and Management Consultants Inc. to determine the modifications required to reconfigure the Alberta system to meet Manitoba's specific legislative and business process requirements.
- Summary Convictions Court Trials – The creation of a second trial courtroom in Summary Convictions Court in Winnipeg in 2007/2008 contributed to the reduction in the trial wait time from 18 months in 2007/2008 to six months in 2008/2009.
- Public Sector Management Program - Four court managers were selected to attend the Certificate in Public Sector Management Program being offered by the Civil Service Commission in partnership with the University of Manitoba as part of the division's succession plan.
- Renovations to Thompson Court Office - Renovations to the Thompson court office were completed to accommodate the appointment of an additional judge in 2007/2008.

Court Services

The Court Services Branch provides Winnipeg Courts, Regional Courts, Judicial Services and Manitoba Sheriff Services with expertise in administration, financial management, governance, project reviews, management information systems, and facilities design and use. The branch is also responsible for the collection of court ordered family support and fines.

Highlights during the 2008/2009 year included:

- In 2008, the Maintenance Enforcement Program had more than 15,400 accounts and disbursed $50.2 million in maintenance payments to recipients and directed a total of $3.4 million to the Minister of Finance to offset social allowance costs. The program also took the following enforcement actions against debtors: issued 2,575 federal garnishing orders, 5,068 regular garnishing orders and 55 pension garnishing orders;

placed 1,904 notices of intent to suspend driver's licenses; and served 264 summons by Sheriff Services Civil Enforcement to appear before the court. Special investigative and enforcement efforts continued to be focused on the relatively small number of debtors who have habitually failed to comply with their support obligations.

- The Fine Collection Program processed $44.9 million ($23.3 million in provincial revenue) for provincial statute and *Criminal Code* fines that was paid voluntarily and within court prescribed time frames. In addition, over 22,265 active driver's licence holds were put in place and 736 collection actions (which include garnishing wages and bank accounts and seizing personal property) were taken for outstanding fines. Overall in 2008/2009, enforcement action resulted in a total of $8.5 million ($5.5 million in provincial revenue) in outstanding fines recovered which includes the large account balance.
- The Restitution Program received and disbursed $556 in restitution payments to victims of crime.

5 (a) Court Services

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	Estimate 2008/09 FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	4,822	80.50	5,530	(708)	1
Total Other Expenditures	1,859		2,195	(336)	1
Recoverable from Part B – Capital	(45)		(227)	182	1

Explanation:

1. *Variance is due to vacant position surpluses, the Manitoba Maintenance Management Program (M^3P) data migration and capital related salary and operating surpluses associated with the adoption of a two phase approach for project implementation, with a corresponding under-recovery from Part B -Capital.*

Winnipeg Courts

The Winnipeg Courts Branch provides operational and administrative support to efficiently manage and process all matters in the Court of Appeal, the Court of Queen's Bench (civil, criminal and family), the Provincial Court (adult, youth, family and Summary Convictions Court). Services are also provided to eight circuit court locations outside Winnipeg.

The Winnipeg Courts Branch accepts guilty pleas and/or payments of fines issued by agencies throughout Manitoba which includes Common Offence Notices[10] (CON tickets) and ICES (photo radar) tickets. The branch also accepts deposits of monies which are held in trust and later disbursed through the Suitors' Trust System.

The branch is also responsible for the operations of the jury management system, ensuring that sufficient jurors are available to meet the needs of the Court of Queen's Bench's criminal and civil trials.

Branch highlights for 2008/2009 included:

- The Manitoba Court of Appeal centre opened 238 new files in the 2008 calendar year.
- The Winnipeg and St. Boniface Court of Queen's Bench centres opened 17,731 new files and added 180,091 documents to the Court Registry System in the 2008/2009 fiscal year.
- A total of $5.7 million was received and held in trust within the Suitors' Trust system.
- The Provincial Court processed 50,429 new charges[11] (youth and adult) in Winnipeg centre.

[10] CON tickets refer to provincial statute offences, Manitoba regulations and federal regulations covered in the *Contraventions Act*, and various other municipal bylaw offences.

[11] While Manitoba Prosecutions Service opened 46,964 files in the 2008 calendar year, the Provincial Court processed 84,620 new adult and youth charges in the 2008/2009 fiscal year. (The Provincial Court total is comprised of 50,429 charges in Winnipeg and 34,191 in the regions.) The primary reason for the difference is that Manitoba Prosecutions Service statistics refer to files and Courts Division statistics refer to charges. Manitoba Prosecutions Service can have one file that encompasses a series of charges relating to one incident. As well, Manitoba Prosecutions Service statistics do not include federal offences (such as the *Controlled Drugs and Substances Act* and the *Immigration and Refugee Protection Act*), municipal charges such as bylaw offences, or charges laid as private prosecutions. It is also important to note that Prosecutions Division currently report file statistics on a calendar year basis while Courts Division reports charge statistics on a fiscal year basis.

- Summary Convictions Court processed 247,667 new tickets (charges) issued by agencies throughout Manitoba. These included 84,024 regular Common Offence Notices (CON tickets) and 163,643 ICES (photo radar) tickets.
- Twelve jury trials were held in Winnipeg and Winnipeg Jury Management issued 18,300 jury summonses (out of 30,000 names obtained from Manitoba Health cards).
- The Transcription Services Unit (TSU) arranged for transcription of over 136,627 pages of court proceedings, representing approximately 2,958 transcript requests.
- The Review Board sat on 29 days and held 93 hearings for patients under its jurisdiction. During 2008/2009, the board dealt with a total of 89 patients. As of March 31, 2009, 81 patients remained under the board's jurisdiction.
- The Vehicle Impoundment Registry maintained records for 3,445 vehicles seized from people driving while suspended; prohibited; with blood alcohol content over .08; refusing a breathalyzer; refusing or failing a field sobriety test; or committing prostitution related offences.

5 (b) Winnipeg Courts

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	Estimate 2008/09 FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	7,067	151.25	7,135	(68)	
Total Other Expenditures	1,238		1,236	2	

Regional Courts

The Regional Courts Branch provides operational and administrative support to efficiently manage and process all matters in the Court of Queen's Bench (civil, criminal and family) and the Provincial Court (adult, youth and family) outside Winnipeg. The regional courts structure provides decentralized court services in two regional centres, Thompson and Brandon. Services are provided in 12 court locations and 48 circuit court locations.

The Regional Courts Branch accepts guilty pleas and/or payments of fines issued by agencies throughout Manitoba which includes Common Offence Notices (CON tickets) and ICES (photo radar) tickets. The branch also accepts deposits of monies which are held in trust and later disbursed through the Suitors' Trust System.

The branch also manages the Aboriginal Courtwork Program, which helps Aboriginal people develop a better understanding of their rights and obligations in the criminal justice system. These court workers explain the court process; the nature of the charges and possible results; help obtain lawyers for the accused; and may also provide support in court. Their services are provided in English, Cree, Ojibwé, Oji-Cree and Dakota at court and circuit court locations throughout Manitoba. The Aboriginal Courtwork Program continues to be engaged in a national education and strategy that builds on the information collected from the Prior Learning and Recognition (PLAR) process.

The Regional Courts Branch works with Aboriginal communities to enhance their involvement in the court process. This is done, for example, through consultation with communities and with the Chief Judge of the Provincial Court to identify additional locations for the court to sit and by providing information to the Chief Judge to assist in making decisions on the frequency of sittings. Regional Courts encourages First Nation communities to identify Elder roles in the court process and to promote regular participation at sittings of the Provincial Court in their communities. Through agreements with the MKO and St. Theresa Point First Nation, Courts Division programs enable communities to establish community justice workers who work with their respective First Nations to utilize traditional healing to bring offenders and the community to peaceful solutions, liaise with the police and the crown to foster understanding of community issues, and provide the judiciary with options for culturally appropriate dispositions.

Branch highlights for 2008/2009 included:

- The regional Court of Queen's Bench centres opened 3,891 new files and added 43,910 documents to the Court Registry System.

- The Provincial Court processed 34,191 new charges[12] (youth and adult) in the regional court offices.
- Four jury trials proceeded in the regions and 3,301 jury summonses were issued (out of 10,000 names obtained from Manitoba Health cards).
- The Aboriginal Courtwork Program assisted 10,217 clients.
- The 6 regional Transcription Services Units (TSU) arranged for transcription of 18,358 pages of court proceedings, representing approximately 953 transcript requests.
- There was a change in catchment areas for the Rural Municipalities of Ritchot and Tache. As a result, matters arising in these municipalities are now being heard in St. Boniface in order to better serve the French speaking population.

5 (c) Regional Courts

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	Estimate 2008/09 FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	3,974	76.58	4,057	(83)	
Total Other Expenditures	2,180		2,176	4	

Judicial Services

The Judicial Services Branch provides direct support to the judiciary of the Court of Appeal, the Court of Queen's Bench and the Provincial Court through judicial assistants, researchers and coordinators. Judicial services are also provided throughout the province by small claims hearing officers and justices of the peace. Branch staff facilitate the effective operation of the courts by acting as a liaison between the judicial branch of government, the executive branch of government, the public and the legal profession.

Under the direction of the Chief Justice of the Court of Queen's Bench and the Chief Judge of the Provincial Court, all appearances on criminal, civil and family matters before the courts are scheduled by coordinators to ensure effective use of judicial resources and courtrooms. This includes Provincial Court pre-trial coordinators who preside in court to ensure that procedural matters are addressed within agreed-upon timelines, freeing up judges to deal with the substantive legal issues.

Over 160 justices of the peace provide judicial services in 14 court locations and over 60 communities under the judicial direction of the Chief Judge of the Provincial Court. There are three types of justices of the peace in Manitoba: judicial justices of the peace, staff justices of the peace and community justices of the peace. Judicial justices of the peace perform duties where independence from the executive and legislative branches of government is required such as conducting trials and sentencing hearings under *The Summary Convictions Act*, making protection orders under *The Domestic Violence and Stalking Act*, and issuing search warrants. Staff justices of the peace are located in court offices throughout the province and their duties include such matters as setting hearing dates, reviewing documents with an accused person and processing the laying of charges. Community justices of the peace are residents of communities across Manitoba, and their duties include swearing of informations, issuing summonses, warrants, subpoenas, and consent releases from custody.

Five hearing officers in the Court of Queen's Bench hear small claims court matters in 18 locations throughout Manitoba.

[12] While Manitoba Prosecutions Service opened 46,964 files in the 2008 calendar year, the Provincial Court processed 84,620 new adult and youth charges in the 2008/2009 fiscal year. (The Provincial Court total is comprised of 50,429 charges in Winnipeg and 34,191 in the regions.) The primary reason for the difference is that Manitoba Prosecutions Service statistics refer to files and Courts Division statistics refer to charges. Manitoba Prosecutions Service can have one file that encompasses a series of charges relating to one incident. As well, Manitoba Prosecutions Service statistics do not include federal offences (such as the *Controlled Drugs and Substances Act* and the *Immigration and Refugee Protection Act*), municipal charges such as bylaw offences, or charges laid as private prosecutions. It is also important to note that Prosecutions Division currently report file statistics on a calendar year basis while Courts Division reports charge statistics on a fiscal year basis.

Branch highlights for 2008/2009 included:

- A twentieth judicial justice of the peace was appointed as a result of an increase in the volume of protection order applications under *The Domestic Violence and Stalking Act*.
- Ongoing educational programs were provided to all justices of the peace through the office of the director of justice of the peace services under the direction of the Chief Judge of the Provincial Court. Training was also provided to judicial justices of the peace to enable more summary conviction trials to be heard in Winnipeg.
- Development of an electronic Provincial Court "rota" (scheduling) system continued.

More information on the Provincial Court of Manitoba is available in its annual report, which is available on the Manitoba Courts website at www.manitobacourts.mb.ca.

5 (d) Judicial Services

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	14,988	82.50	15,295	(307)	
Total Other Expenditures	2,292		1,945	347	1

Explanation:

1. *Variance is due to an increase in various operating expenses including desktop, transcription, publications, furniture and judicial appointment costs.*

Sheriff Services

Sheriff Services is comprised of Winnipeg and regional Sheriff Services' offices.

Winnipeg operations are responsible for the security of 53 courtrooms in the Winnipeg Law Courts Complex and the security at eight circuit court locations. A perimeter security system is operated at the Winnipeg Law Courts Complex, preventing weapons and other contraband from entering the facility.

Regional operations has five offices located at Portage la Prairie, Brandon, Dauphin, The Pas and Thompson which service 12 court and 48 circuit court locations.

Sheriff Services is responsible for the transport of all incarcerated persons to and from court from the various federal and provincial correctional facilities in Manitoba. Sheriffs also enforce all writs of seizure and sale; conduct evictions; arrest individuals on civil warrants; and serve various summonses, subpoenas, protection orders and other court directed documents.

Branch highlights for 2008/2009 included:

- Winnipeg sheriffs transported 7,109 prisoners to court, travelled 325,708 kilometres by road and 10,758 kilometres by air.
- Regional sheriffs transported 12,831 prisoners to court, traveled 645,809 kilometres by road and 86,646 kilometres by air.
- Manitoba Sheriff Services provided security at 12 jury trials in Winnipeg and four in regional court offices.
- Sheriff officers scanned 265,827 individuals entering the Winnipeg Law Courts Complex.
- Sheriffs served a total of 2,996 legal documents including protection orders and subpoenas (1,847 by Winnipeg officers; 1,149 by regional officers).
- Sheriffs executed 261 writs of seizure and sale (235 by Winnipeg officers; 26 by regional officers).
- The Civil Enforcement Unit issued 3,458 sheriffs certificates provincially.
- Total monies received from all sources (including sheriffs certificates) was $207.
- Sheriff officers were recertified in first aid, CPR, PPCT (pressure point control tactics), OC (pepper spray), and ground escape. Eight managers and supervisors have completed or are nearing completion of the Organization and Staff Development - Essentials of Supervision Certificate Program.
- Sheriff Services began replacing all analog radios with digital handheld radios during the fiscal year.

5 (e) Sheriff Services

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	Estimate 2008/09 FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Total Salaries	5,978	87.97	5,740	238	
Total Other Expenditures	2,030		1,883	147	

Justice Initiatives Fund – Courts

This section lists Justice Initiative Fund (JIF) expenditures from Courts Division programs. Please see the Justice Initiatives Fund section of this report for more information on this fund.

5 (f) Justice Initiatives Fund

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	Allocation 2008/09 FTE	Allocation 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Community Alternatives – MKO First Nations Justice Strategy (FNJS) – Combined with Aboriginal Justice Strategy (AJS)	100		100	0	
Total	**100**		**100**	**0**	

Costs Related to Capital Assets

Manitoba Justice's inventory of capital assets includes machinery, equipment and information systems. The department is required to amortize its assets, which is a gradual write-off of the initial cost of the asset over its useful life. In addition, interest expense is also applied to capital funds on net book value.

Major capital assets requiring amortization in 2008/2009 included desktop services, SAP support, government air, and existing assets including equipment and information systems projects and major computer applications.

- Desktop services refers to the cost of enterprise software licences for desktop computer equipment for use in Manitoba Justice.
- SAP support refers to the protection, maintenance and enhancement of the government's SAP software. Introduced in 1999, SAP (Systems, Applications and Products in Data Processing) is the integrated management software Manitoba uses to support business and administrative requirements across government. SAP software is used by many staff and as a result Manitoba Justice is required to pay a share of the overall government amortization costs for the system.
- Government air refers to the department's contribution (based on use) to amortize the province's fleet of aircrafts, used primarily by justice personnel for circuit court travel.
- The existing asset inventory includes information systems projects, major computer applications, furniture, equipment and machinery.

The amortization of existing assets and interest expense are provided as of March 31, 2009.

04-6 Costs Related to Capital Assets

Expenditures by Sub-Appropriation	Actual 2008/09 $(000s)	FTE	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.
Desktop services	408		544	(136)	1
SAP support	340		340		
Government air	162		155	7	
Amortization –Existing assets at March 31, 2009	734		761	(27)	
Interest expense	483		533	(50)	2
Total	**2,127**		**2,333**	**(206)**	

Explanation:

1. *Desktop services transition amortization is no longer recovered from departments due to a change in accounting policy.*
2. *Under expenditure is due to an extension of the development period for the new Manitoba Maintenance Management Program (M^3P) pending completion of contract negotiations.*

Financial Information Section

Reconciliation Statement of Printed Vote

DETAILS	2008/09 ESTIMATES $(000s)
2008/09 MAIN ESTIMATES	**$ 347,647**
MAIN ESTIMATES AUTHORITY TRANSFERRED FROM:	
- Justice Initiatives	2,031
- Internal Reform, Workforce Adjustment and General Salary Increases	
2008/09 ESTIMATE	**$ 349,678**

Manitoba Justice

Expenditure Summary
for the fiscal year ended March 31, 2009 with comparative figures for the previous year

2008/09 Estimate $(000s)		Appropriation	2008/09 Actual $(000s)	2007/08 Actual $(000s)	Increase (Decrease) $(000s)	Variance Expl. No.
	04-1	**Administration & Finance**				
45	(a)	Minister's Salary	45	42	3	
	(b)	Executive Support				
592		Salaries	896	756	140	1
97		Other Expenditures	137	140	(3)	
	(c)	Policy Development and Analysis				
462		Salaries	423	426	(3)	
139		Other Expenditures	154	157	(3)	
	(d)	Financial & Administrative Services				
1,306		Salaries	1,241	1,172	69	
337		Other Expenditures	391	485	(94)	
	(e)	Human Resource Services				
1,546		Salaries	1,398	1,337	61	
194		Other Expenditures	215	273	(58)	
	(f)	Computer Services				
1,315		Salaries	1,226	1,650	(424)	2
860		Other Expenditures	666	676	(10)	
(149)		Less: Recoverable from Part B - Capital	(149)	(605)	456	3
6,744		**Subtotal 04-1**	**6,643**	**6,509**	**134**	

1. *Executive Support – Variance is due to retirement vacation leave and severance payout for the previous deputy minister, along with six months of salary to act as a special advisor to the department.*
2. *Computer Services – Variance is due to an increase in the recovery of salaries from Part B – Capital for existing staff dedicated to information system projects.*
3. *Computer Services – Variance reflects a reduction in the recovery of salaries from Part B – Capital for external seconded staff dedicated to information system projects.*

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2009 with comparative figures for the previous year

2008/09 Estimate $(000s)		Appropriation	2008/09 Actual $(000s)	2007/08 Actual $(000s)	Increase (Decrease) $(000s)	Variance Expl. No.
	04-2	**Criminal Justice**				
	(a)	Administration				
393		Salaries	226	212	14	
49		Other Expenditures	49	36	13	
	(b)	Prosecutions				
16,975		Salaries	16,648	15,182	1,466	4
3,240		Other Expenditures	3,820	6,871	(3,051)	5
742		Witness Programs	989	824	165	
	(c)	Provincial Policing				
95,499		Gross Expenditures	95,387	86,549	8,838	6
(2,000)		Recovery: Rural Economic Development Initiatives	(2,000)	(2,000)	0	
	(d)	Aboriginal and Community Law Enforcement				
1,649		Salaries	1,245	1,140	105	
686		Other Expenditures	530	452	78	
285		Programs	174	148	26	
	(e)	Victim Services				
3,205		Salaries	3,089	2,813	276	
621		Other Expenditures	565	609	(44)	
190		Grants	164	190	(26)	
	(f)	Compensation for Victims of Crime				
2,945		Other Expenditures	4,275	4,267	8	
	(g)	Law Enforcement Review Agency				
484		Salaries	423	371	52	
145		Other Expenditures	124	105	19	
	(h)	Office of the Chief Medical Examiner				
816		Salaries	844	785	59	
2,155		Other Expenditures	2,322	2,036	286	
323		Inquest - Flin Flon Smelter	150	87	63	
2,000	(i)	Taman Inquiry	1,944	469	1,475	7
55	(j)	Justice Initiatives	53	60	(7)	
130,457		**Subtotal 04-2**	**131,021**	**121,206**	**9,815**	

4. *Prosecutions – Variance is due to a general salary increase and the Manitoba Association of Crown Attorneys' salary increase in direct and indirect salary costs over previous year.*
5. *Prosecutions – Variance is mainly due to the Driskell litigation payment in 2007/2008.*
6. *Provincial Policing – Variance reflects increases in police salaries and operating and maintenance budgets.*
7. *Taman Inquiry – The Inquiry only commenced in the final quarter of 2007/2008.*

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2009 with comparative figures for the previous year

2008/09 Estimate $(000s)		Appropriation	2008/09 Actual $(000s)	2007/08 Actual $(000s)	Increase (Decrease) $(000s)	Variance Expl. No.
	04-3	**Civil Justice**				
	(a)	Manitoba Human Rights Commission				
1,430		Salaries	1,473	1,438	35	
433		Other Expenditures	465	450	15	
	(b)	Legislative Counsel				
1,937		Salaries	1,903	1,794	109	
345		Other Expenditures	325	300	25	
85	(c)	Grant to Manitoba Law Reform Commission	85	85	0	
	(d)	Family Law				
1,498		Salaries	1,432	1,383	49	
164		Other Expenditures	190	180	10	
	(e)	Constitutional Law				
1,027		Salaries	1,016	918	98	
225		Other Expenditures	235	181	54	
	(f)	Legal Aid Manitoba				
10,024		Salaries	9,803	9,211	592	8
10,543		Other Expenditures	10,493	10,530	(37)	
27,711		**Subtotal 04-3**	**27,420**	**26,470**	**950**	

8. *Legal Aid Manitoba – Variance is mainly due to a general salary increase and Legal Aid Lawyers Association salary increases retroactive to 2006/2007.*

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2009 with comparative figures for the previous year

2008/09 Estimate $(000s)		Appropriation	2008/09 Actual $(000s)	2007/08 Actual $(000s)	Increase (Decrease) $(000s)	Variance Expl. No.
	04-4	**Corrections**				
	(a)	Corporate Services				
2,130		Salaries	1,743	1,660	83	
1,006		Other Expenditures	646	651	(5)	
	(b)	Adult Corrections				
83,822		Salaries	98,201	83,287	14,914	9
13,001		Other Expenditures	15,608	14,042	1,566	10
2,121		Programs and External Agencies	2,031	1,951	80	
(5)		Recoveries from Other Appropriations	(2)	(3)	1	
	(c)	Youth Corrections				
26,766		Salaries	30,696	25,731	4,965	11
2,914		Other Expenditures	3,542	3,202	340	12
1,737		Programs and External Agencies	1,576	1,540	36	
1,876	(d)	Justice Initiatives	1,887	1,942	(55)	
135,368		**Subtotal 04-4**	**155,928**	**134,003**	**21,925**	

9. *Adult Corrections – Salaries - Variance is primarily due to the retroactive salary arbitration award, general salary increases in 2008/2009, staffing cost increases related to overcrowding in the institutions, additional staffing costs for holding remands at Milner Ridge and at Winnipeg Remand Centre resulting from a staffing review, along with an increase in workers compensation payments and retirement severance and vacation payments.*
10. *Adult Corrections – Operating – Variance relates to general increases in costs for transportation, food, equipment, maintenance, professional services and supplies related to increased adult custody population levels plus other administrative operating increases, offset by a decrease in employee uniform costs.*
11. *Youth Corrections – Salaries – Variance is primarily due to the retroactive salary arbitration award, general salary increases in 2008/2009, increased staffing, overtime and other indirect costs related to an increase to the youth in custody population.*
12. *Youth Corrections – Operating – Variance is mainly due to increased food, transportation, equipment and maintenance costs related to increased youth custody population levels, an electronic monitoring pilot project that commenced in the final quarter 2007/2008 and Intensive Rehabilitation Custody and Supervision Program costs, offset by a decrease in lawsuit settlement costs.*

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2009 with comparative figures for the previous year

2008/09 Estimate $(000s)		Appropriation	2008/09 Actual $(000s)	2007/08 Actual $(000s)	Increase (Decrease) $(000s)	Variance Expl. No.
	04-5	**Courts**				
	(a)	Court Services				
5,530		Salaries	4,822	4,777	45	
2,195		Other Expenditures	1,859	1,657	202	
(227)		Recoveries from Other Appropriations	(45)	0	(45)	
	(b)	Winnipeg Courts				
7,135		Salaries	7,067	6,676	391	13
1,236		Other Expenditures	1,238	1,282	(44)	
	(c)	Regional Courts				
4,057		Salaries	3,974	3,910	64	
2,176		Other Expenditures	2,180	2,055	125	
	(d)	Judicial Services				
15,295		Salaries	14,988	14,834	154	
1,945		Other Expenditures	2,292	1,992	300	14
	(e)	Sheriff Services				
5,740		Salaries	5,978	5,921	57	
1,883		Other Expenditures	2,030	1,903	127	
100	(f)	Justice Initiatives	100	60	40	
47,065		**Subtotal 04-5**	**46,483**	**45,067**	**1,416**	
2,333	**04-6**	**Costs Related To Capital Assets**	**2,127**	**2,194**	**(67)**	
349,678		**TOTAL EXPENDITURES**	**369,622**	**335,449**	**34,173**	

13. Winnipeg Courts - Variance is mainly due to a general salary increase for 2008/2009 and retirement severance and vacation costs.

14. Judicial Services – Variance is primarily due to an increase in various operating costs related to desktop, travel, workplace health and safety, advertising, transcription, publications, judicial allowance and chief judge expenses.

Manitoba Justice

Expenditure Summary

for the fiscal year ended March 31, 2009 with comparative figures for the previous year

2008/09 Estimate $(000s)		Appropriation	2008/09 Actual $(000s)	2007/08 Actual $(000s)	Increase (Decrease) $(000s)	Variance Expl. No.
		Department Summary 04 by Main Appropriation				
6,744	(1)	Administration & Finance	6,643	6,509	134	
130,457	(2)	Criminal Justice	131,021	121,206	9,815	
27,711	(3)	Civil Justice	27,420	26,470	950	
135,368	(4)	Corrections	155,928	134,003	21,925	
47,065	(5)	Courts	46,483	45,067	1,416	
2,333	(6)	Costs Related To Capital Assets	2,127	2,194	(67)	
349,678		**Total**	**369,622**	**335,449**	**34,173**	

Manitoba Justice

Revenue Summary by Source

for the fiscal year ending March 31, 2009 with comparative figures for the previous year

Actual 2007/08	Actual 2008/09	Increase (Decrease)	Source	Actual 2008/09	Estimate 2008/09	Variance	Explanation Number
			GOVERNMENT OF CANADA				
435	431	(4)	Aboriginal Court Worker Program	431	435	(4)	
694	607	(87)	Child Centered Family Justice Fund	607	694	(87)	
4,821	4,880	59	Legal Aid Agreement	4,880	4,760	120	
1,031	1,402	371	Special Projects	1,402	1,115	287	1
6,433	6,433	0	Youth Justice Services and Programs Agreement	6,433	6,433	0	
13,414	**13,753**	**339**	**Sub-Total**	**13,753**	**13,437**	**316**	
			OTHER REVENUE				
484	485	1	Cost Recovery from City of Winnipeg (Remand Centre)	485	489	(4)	
2,417	2,533	116	Cost Recovery from Municipalities	2,533	2,374	159	2
3,363	4,334	971	Cost Recovery from Victims' Assistance Fund	4,334	3,582	752	3
72	221	149	Escheats to the Crown	221	50	171	4
25,644	28,802	3,158	Fines and Costs	28,802	27,955	847	5
7,182	7,725	543	Law Fees	7,725	6,933	792	6
2,749	2,772	23	Sundry	2,772	2,708	64	
41,911	**46,872**	**4,961**	**Sub-Total**	**46,872**	**44,091**	**2,781**	
55,325	**60,625**	**5,300**	**TOTAL DEPARTMENTAL REVENUE**	**60,625**	**57,528**	**3,097**	

Explanation Number:

1. ***Special Projects - $287 Over Estimate and $371 Over 2007/2008 Actual***
   Variance over estimate is primarily due to an increase in psychological services, special projects and additional cases relating to the Intensive Rehabilitative Custody Supervision Program.
   Variance over actual is primarily due to increases in the National Crime Prevention Centre Empowering Justice Initiative, Intensive Rehabilitative Custody Supervision Program additional cases and psychological services and other special projects.

2. ***Cost Recovery from Municipalities (RCMP Services) - $159 Over Estimate and $116 Over 2007/2008 Actual***
   Variances are due to increased costs for RCMP policing services as per 2008/2009 approved budget for the RCMP Provincial Police Service Agreement, along with projected increases in staffing levels.

3. ***Cost Recovery from Victims' Assistance Trust Fund - $752 Over Estimate and $971 Over 2007/2008 Actual***
   Variances are related to the recovery of the full cost of the departmental Victim Services program.

4. ***Escheats to the Crown - $171 Over Estimate and $149 Over 2007/2008 Actual***
   Variances are due to the write-off of several estates from previous years in 2008/09.

5. ***Fines and Costs - $847 Over Estimate and $3,158 Over 2007/2008 Actual***
   Variances are due to an increase in the volume of photo enforcement tickets issued due to construction zone speed violations along with a percentage increase in fines commencing July 1, 2008.

6. ***Law Fees - $792 Over Estimate and $543 Over 2007/2008 Actual***
   Variances are due to an increase in probate fees that are assessed on the value of estates and an increase in the number of applications filed.

Explanation Number:

1. ***Special Projects - $287 Over Estimate and $371 Over 2007/2008 Actual***
   Variance over estimate is primarily due to an increase in psychological services, special projects and additional cases relating to the Intensive Rehabilitative Custody Supervision Program.
   Variance over actual is primarily due to increases in the National Crime Prevention Centre Empowering Justice Initiative, Intensive Rehabilitative Custody Supervision Program additional cases and psychological services and other special projects.

2. ***Cost Recovery from Municipalities (RCMP Services) - $159 Over Estimate and $116 Over 2007/2008 Actual***
   Variances are due to increased costs for RCMP policing services as per 2008/2009 approved budget for the RCMP Provincial Police Service Agreement, along with projected increases in staffing levels.

3. ***Cost Recovery from Victims' Assistance Trust Fund - $752 Over Estimate and $971 Over 2007/2008 Actual***
   Variances are related to the recovery of the full cost of the departmental Victim Services program.

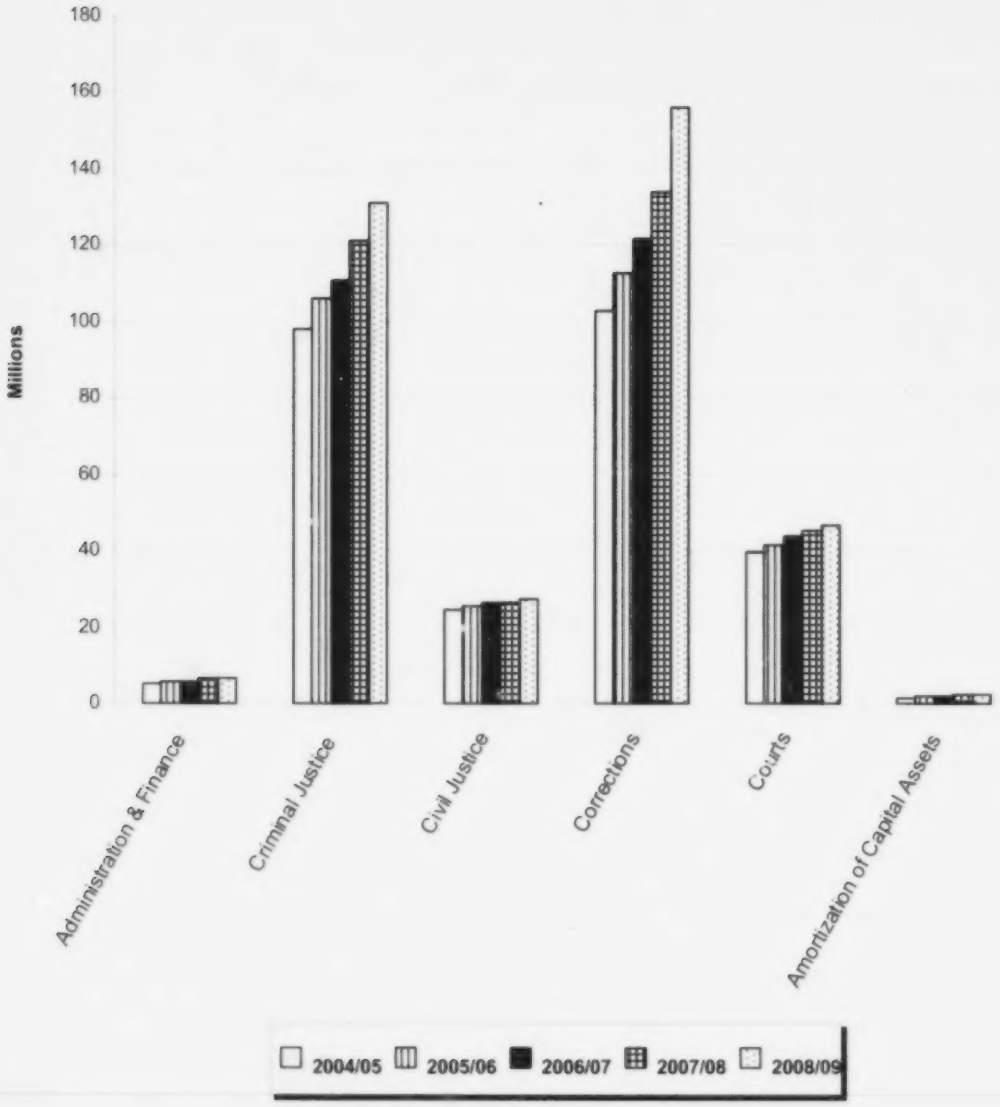
4. ***Escheats to the Crown - $171 Over Estimate and $149 Over 2007/2008 Actual***
   Variances are due to the write-off of several estates from previous years in 2008/09.

5. ***Fines and Costs - $847 Over Estimate and $3,158 Over 2007/2008 Actual***
   Variances are due to an increase in the volume of photo enforcement tickets issued due to construction zone speed violations along with a percentage increase in fines commencing July 1, 2008.

6. ***Law Fees - $792 Over Estimate and $543 Over 2007/2008 Actual***
   Variances are due to an increase in probate fees that are assessed on the value of estates and an increase in the number of applications filed.

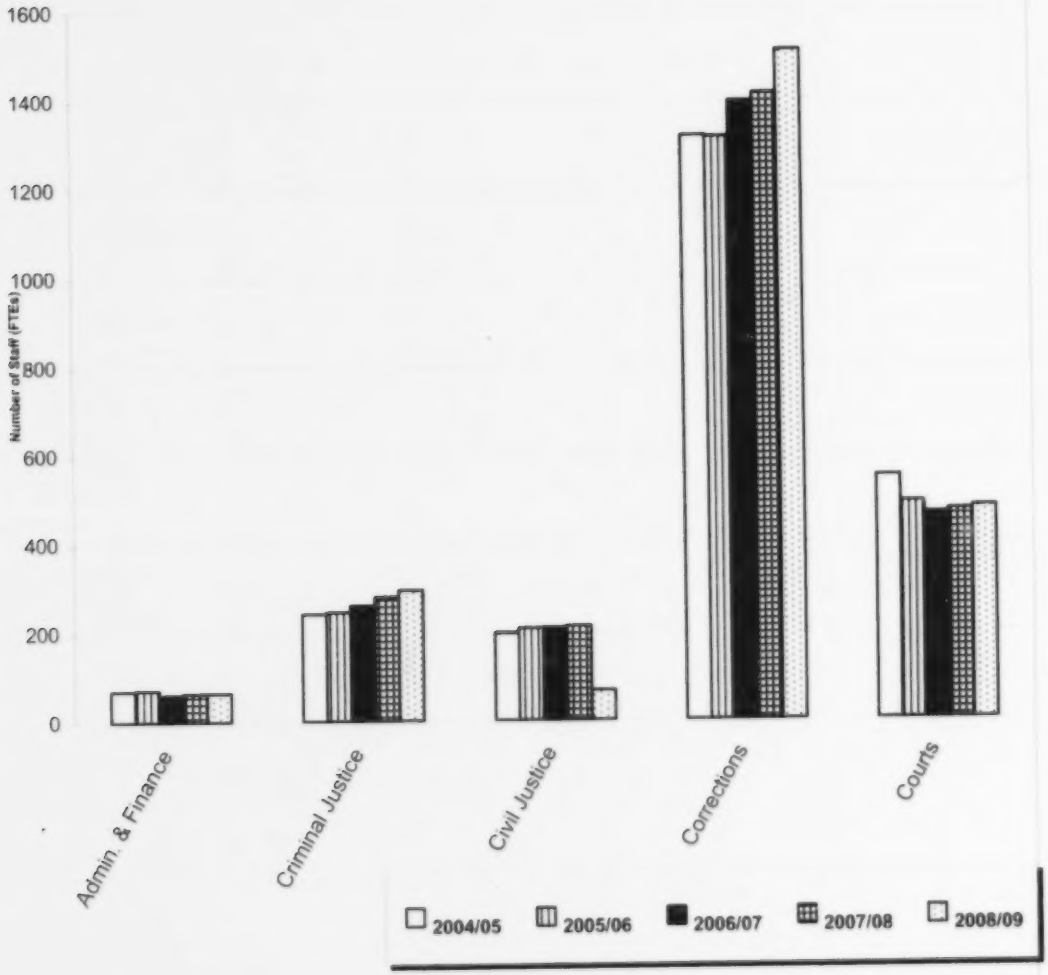
Manitoba Justice

Five Year Expenditure History by Appropriation Structure



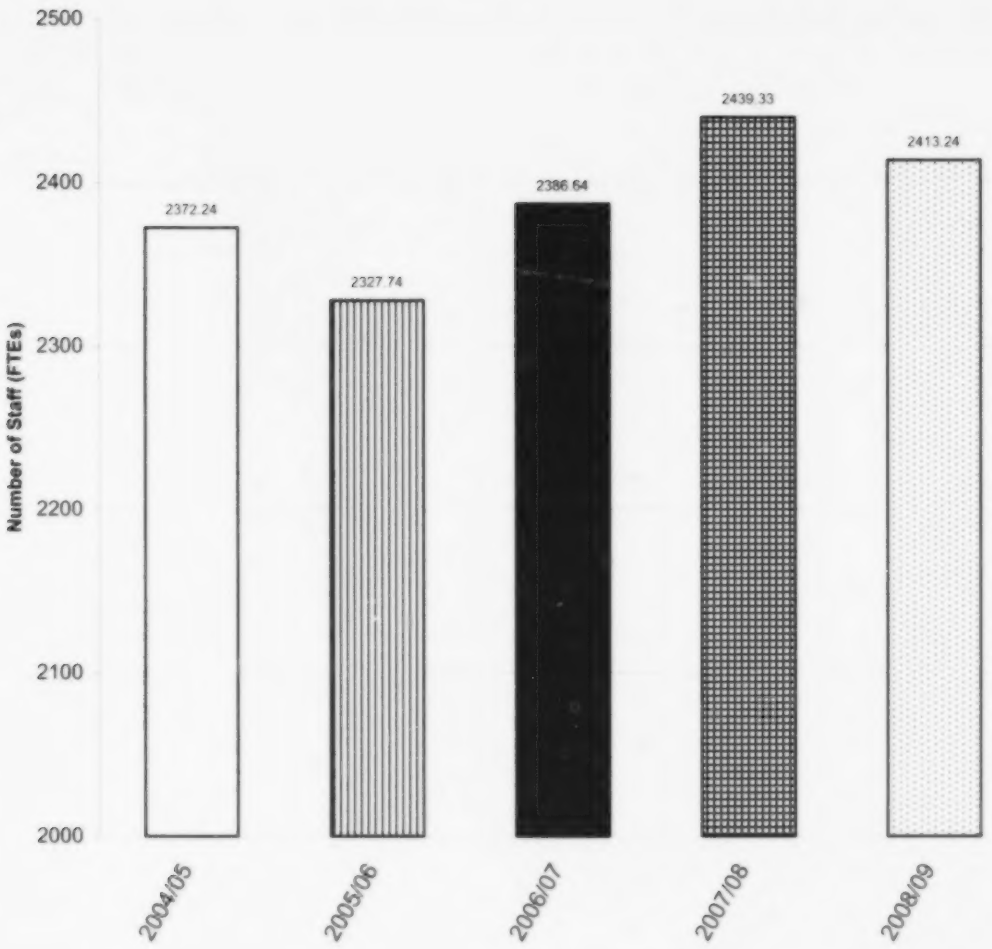
Manitoba Justice

Five Year Staffing History by Operating Divisions



Manitoba Justice

Five Year Staffing History
(Total Department)



Performance Reporting

The following section provides information on key performance measures for the department for the 2008/2009 reporting year. All Government of Manitoba departments include performance measures in their annual reports to complement the financial results and provide Manitobans with meaningful and useful information about government activities and their impact on the province and its citizens.

For more information on performance reporting and the Manitoba government, visit www.manitoba.ca/performance.

Your comments on performance measures are valuable to us. You can send comments or questions to mbperformance@gov.mb.ca.

Notes on Justice Performance Measure Information

The law and the justice system are important to Manitobans because they provide order in society, a peaceful way to settle disputes, and a means of expressing the values and beliefs of our province and country. The justice system deals with a broad range of criminal, constitutional and administrative laws. It also provides processes to resolve private disputes peacefully and fairly in matters such as contracts, property ownership, family rights and obligations, and damages to property.

One of the most unique, and arguably challenging, features within the justice system is the number of independent, but interdependent participants in the criminal justice continuum with defined legal responsibilities: police, prosecutors, defence lawyers (including legal aid counsel), members of the judiciary in three levels of court and corrections officials. Each participant has distinct roles and responsibilities, and many are at odds with one another, yet for the system to be effective the stakeholders must understand, accept, and respect each others' roles and responsibilities. Manitoba Justice, as a provincial government department, has a variety of roles to play in supporting the overall system through its stated vision of *"a safe, just and peaceful society supported by a justice system that is fair, trusted, effective and understood."*

Despite the importance of the justice system in supporting the social well-being of Manitobans, it is very difficult to adequately measure its effectiveness because of the complexity of our laws, the number of independent stakeholders in the system, the need for fairness and due process, and the extremely wide variety of individual matters that the system must handle.

Developing valid and reliable performance indicators will continue to pose a challenge for the department as we look into the future. Despite these significant challenges, Manitoba Justice has committed to embarking on a performance measures initiative. The measures that the department has developed thus far are described in the table below.

What is being measured and using what indicator?	Why is it important to measure this?	Where are we starting from (baseline measurement)?	What is the most recent available value for this indicator?	What is the trend over time?	Comments/ Recent Actions/ Report Links
(1) Safer communities, by measuring the number of police officers per capita in Manitoba as compared to other provinces.	Strong and effective policing enhances safety in Manitoba communities. Manitoba Justice funds direct RCMP provincial police services, and the province also provides grants to support major municipal police forces.	This measure compares Manitoba to other provinces on an ongoing basis. Manitoba was second highest among the provinces in 2000, with 187 police officers per 100,000 population.	In the 2008 calendar year, Manitoba had the second highest number of police officers per capita of any province in Canada with 202 per 100,000 population. See Figure 1 below.	Manitoba has maintained a ranking of second or third highest among the provinces in the past five years (i.e., 2004 – 2008). The actual per capita number has increased from 187 to 202 since 2000.	Policing has been strengthened throughout the province with funding for a significant number of additional police officers to serve Winnipeg, Brandon, rural and northern Manitoba. The 2008 provincial budget committed resources for 20 new police positions, including 10 for Winnipeg and two for Brandon.
(2) Safer communities, by measuring the number of operations in problem properties (including drug, sniff and prostitution houses) closed by the Public Safety Investigations Unit (PSIU).	Manitoba enacted *The Safer Communities and Neighbourhoods Act* and *The Fortified Buildings Act* to target properties that continually and habitually cause problems. These problem properties include fortified buildings, places where drugs are sold or used, alcohol is sold without a licence, sniff is made available, prostitution and related activities are taking place, children are being sexually abused or exploited, or unlawful firearms, weapons or explosives are being stored.	*The Safer Communities and Neighbourhoods Act* came into force on February 19, 2002. Thirty-six operations were closed in 2003, the first full year of operations for the PSIU.	In the 2008 calendar year, 70 operations in problem properties were closed in Manitoba.	The number of operations closed has been increasing over the past five years. From the 2002 establishment of the PSIU through to the end of the 2008 calendar year, 343 operations in problem properties have been closed in Manitoba. See Figure 2 below.	Manitoba's *Safer Communities and Neighbourhoods Act* has established a national precedent in reclaiming the safety and security of neighbourhoods plagued by drugs, prostitution and solvent abuse. A number of Canadian jurisdictions have developed similar legislation based on Manitoba's example.
(3) Aboriginal justice, by measuring the percentage of Aboriginal people served by First Nations policing programs.	Making justice processes more respectful of Aboriginal cultures and values is an ongoing goal of Manitoba Justice. First Nations policing programs provide First Nations communities with more input into the policing services that they receive.	The First Nations Policing Policy (FNPP) was established in 1991.	An estimated 30 per cent[13] of Aboriginal people in Manitoba were served by First Nations Policing programs for the 2008 calendar year.	Since the First Nations Policing Policy (FNPP) was created in 1991, the percentage of Aboriginal people served by First Nations policing programs has been increasing. Estimated percentages only, however, are available at this time.	During 2008/2009, the RCMP under the First Nations Community Policing Service (FNCPS) policed ten First Nations communities – an increase from nine communities in 2007/2008. Future expansion of the FNCPS is contingent on availability of federal funding.

[13] Manitoba Justice is working with the federal government's RCMP Aboriginal Policing Directorate to refine the methodology for calculating annual percentages.

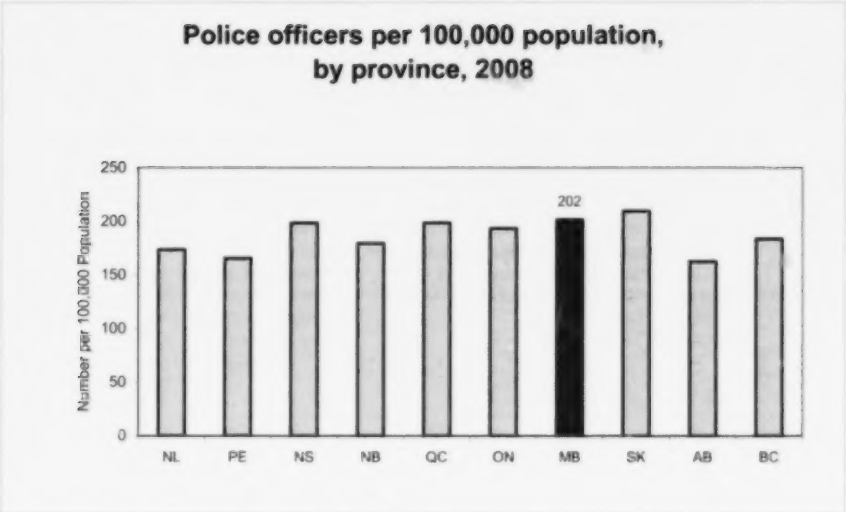
What is being measured and using what indicator?	Why is it important to measure this?	Where are we starting from (baseline measurement)?	What is the most recent available value for this indicator?	What is the trend over time?	Comments/ Recent Actions/ Report Links
(4) Offender accountability and safer com.nunities, by measuring the Manitoba adult incarceration rate as compared to other provinces.	Manitoba is taking an aggressive stand on violent and gang-related crimes by continuing to oppose bail for those crimes as well as advocating for longer periods of incarceration.	This measure compares Manitoba to other provinces on an ongoing basis. Manitoba had the second highest incarceration rates among provinces in 1999/2000 with 129 inmates in custody per 100,000 adult population.	Manitoba's 2007/2008 adult incarceration rate was the second highest of all Canadian provinces with 172 inmates in custody per 100,000 adult population. See Figure 3 below.	Manitoba has had the second highest rate among the provinces in the past five years (i.e., 2003/2004 – 2007/2008).	In order to manage increasing offender populations, the government has committed to expanding available bed-space in provincial correctional facilities. Budget 2008 committed new funding to increase staffing at Milner Ridge Correctional Centre (MRCC). A capital project continued during the year to increase the bed space available at MRCC and also facilitate its conversion to a medium risk facility.
(5) Offender accountability and safer communities, by measuring the Manitoba youth incarceration rate as compared to other provinces.	Manitoba is committed to strengthening sanctions for serious youth crime, particularly crimes of violence.	This measure compares Manitoba to other provinces on an ongoing basis. Manitoba was second highest among the provinces in 1999/2000 with 30.1 young persons in custody per 10,000 youth population.	Manitoba's 2007/2008 youth incarceration rate was the second highest of all Canadian provinces with 25 young persons in custody per 10,000 youth population. See Figure 4 below.	Manitoba has had the second highest rate among the provinces in the past five years (i.e., 2003/2004 – 2007/2008).	The Minister of Justice continued to advocate for national action to amend the *Youth Criminal Justice Act* to deal more effectively with repeat young offenders and youth motor vehicle theft offenders during 2008/2009.
(6) Maintaining the integrity of the justice system, particularly access to justice, by measuring the average time from first appearance to disposition in Provincial Court.[14]	A core element of the department's mission is to provide mechanisms for timely and peaceful resolution of civil and criminal matters. Time to disposition is a measure of the justice system's capacity to resolve matters in a reasonable amount of time. This indicator measures the average amount of time it takes to dispose of a criminal charge, not including charges where a warrant for arrest was issued by the court.	2006/2007 marked the first year that data became available for this indicator. In 2006/2007, 57 per cent of the criminal charges that were disposed of in Provincial Court during the fiscal year were disposed of within four months of the first appearance in court and 75 per cent of the criminal charges were disposed of within eight months of the first appearance in court.[15]	2008/2009 data will be available when it is published in the *Annual Report of the Provincial Court of Manitoba, 2008-2009*. In 2007/2008, 52 per cent of the criminal charges that were disposed of in Provincial Court during the fiscal year were disposed of within four months of the first appearance in court and 71 per cent of the criminal charges were disposed of within eight months of the first appearance in court.[16] See Figure 5 below.	Only two years of data are available at this time. The department is, however, working to refine the methodology for this measure, and thereby establish reliable trends over time.	Process reviews, improved procedures and information technology are being employed to address the growing legal complexity of cases in the justice system. Led by the Chief Judge of the Provincial Court, the internationally recognized Front End Project has achieved success in fast-tracking domestic violence cases through the justice system. The project was expanded in 2008 and now includes all adult matters and all youth out-of-custody matters.

[14] More detailed information on this indicator is available in the *Annual Report of the Provincial Court of Manitoba, 2007-2008* at http://manitobacourts.gov.mb.ca/pdf/annual_report_2007-2008.pdf.

[15] Data complexity issues have necessitated that the current methodology developed for this measure excludes charges where a warrant for arrest was issued by the court.

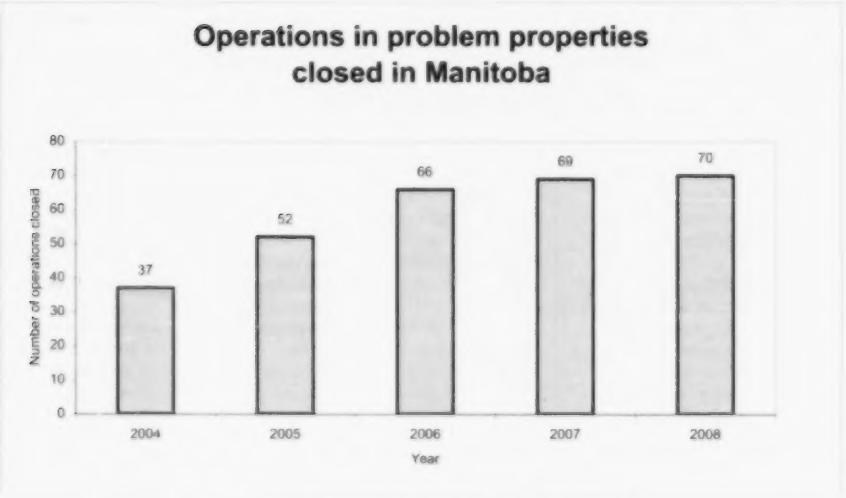
[16] Ibid.

Figure 1:



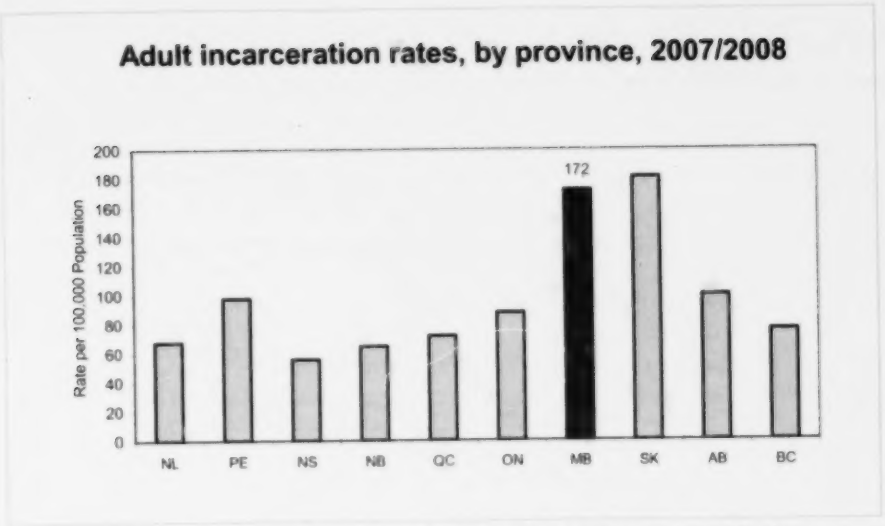
Source: Police Administration Survey, Canadian Centre for Justice Statistics, Statistics Canada

Figure 2:



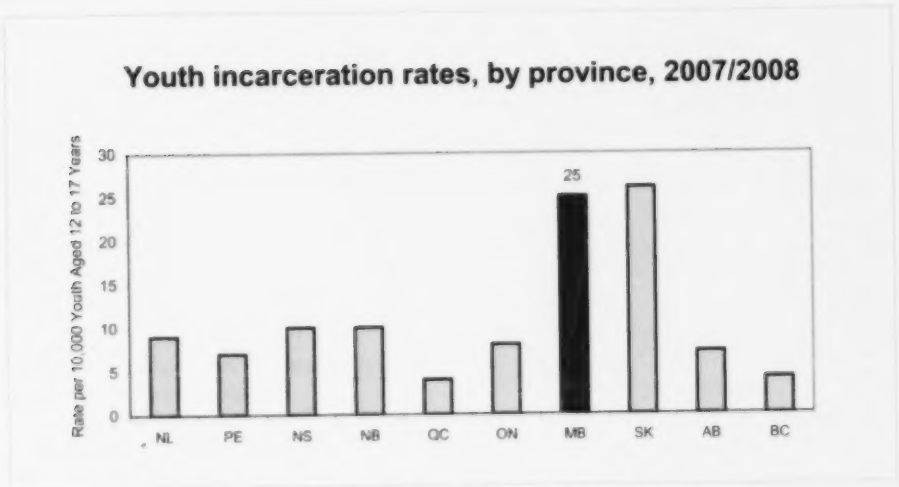
Source: Manitoba Justice Public Safety Investigations Unit

Figure 3:



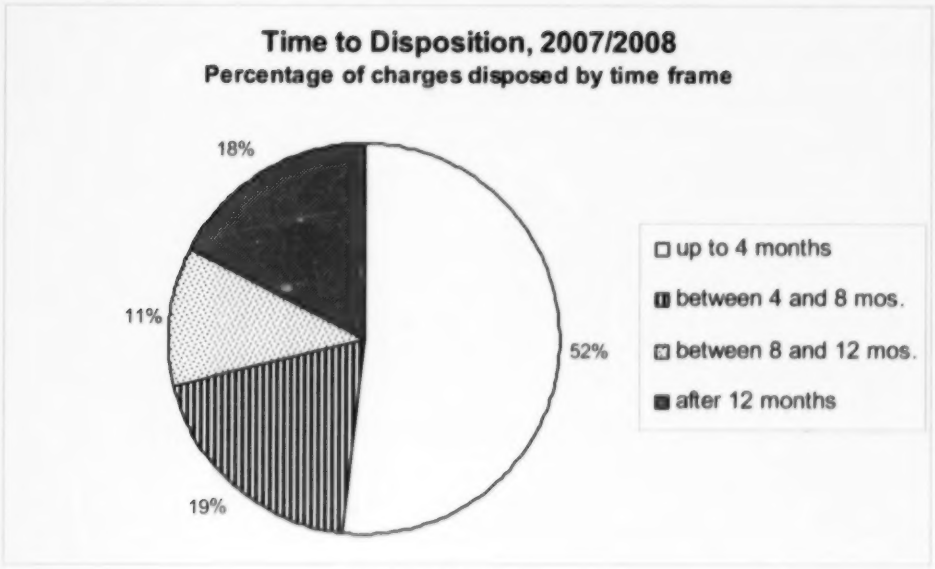
Source: Adult Correctional Services Survey, Canadian Centre for Justice Statistics, Statistics Canada

Figure 4:



Source: Corrections Key Indicator Report, Canadian Centre for Justice Statistics, Statistics Canada

Figure 5:



Source: Manitoba Courts

The Public Interest Disclosure (Whistleblower Protection) Act

The Public Interest Disclosure (Whistleblower Protection) Act came into effect in April 2007. This law gives employees a clear process for disclosing concerns about significant and serious matters (wrongdoing) in the Manitoba public service, and strengthens protection from reprisal. The act builds on protections already in place under other statutes, as well as collective bargaining rights, policies, practices and processes in the Manitoba public service.

Wrongdoing under the act may be: contravention of federal or provincial legislation; an act or omission that endangers public safety, public health or the environment; gross mismanagement; or, knowingly directing or counseling a person to commit a wrongdoing. The act is not intended to deal with routine operational or administrative matters.

A disclosure made by an employee in good faith, in accordance with the act, and with a reasonable belief that wrongdoing has been or is about to be committed is considered to be a disclosure under the act, whether or not the subject matter constitutes wrongdoing. All disclosures receive careful and thorough review to determine if action is required under the act, and must be reported in a department's annual report in accordance with Section 18 of the act.

The following is a summary of disclosures received by Manitoba Justice, Public Trustee, Civil Legal Services, and Legal Aid Manitoba for fiscal year 2008/2009:

Information Required Annually **(per Section 18 of the act)**	**Fiscal Year 2008/2009**
The number of disclosures received, and the number acted on and not acted on. *Subsection 18(2)(a)*	**NIL**
The number of investigations commenced as a result of a disclosure. *Subsection 18(2)(b)*	**NIL**
In the case of an investigation that results in a finding of wrongdoing, a description of the wrongdoing and any recommendations or corrective actions taken in relation to the wrongdoing, or the reasons why no corrective action was taken. *Subsection 18(2)(c)*	**NIL**

Capital Investment

Capital investment in Manitoba Justice provides development costs to implement information technology systems and acquire equipment. Capital investment authority is contained in Part B of the annual *Estimates of Expenditure*.

In 2008/2009, Manitoba Justice had capital expenditures for equipment acquisitions ($1,350), the co-operative justice system ($558), and the Manitoba Maintenance Management Program, or M^{3}P ($232). This is a continuation of previous equipment and systems acquisition practices except that a budget and actual expenditures are now provided under the estimates of capital investment rather than operating appropriations.

Reconciliation Statement of Printed Vote

DETAILS	2008/09 ESTIMATES $(000s)
2008/09 MAIN ESTIMATES	**$2,715**
MAIN ESTIMATES AUTHORITY TRANSFERRED FROM:	
- Internal Reform, Workforce Adjustment and General Salary Increases	
2008/09 ESTIMATE	**$2,715**

Capital Investment

Actual 2008/09 $(000s)	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.	Actual 2007/08 $(000s)	Variance Over (Under) $(000s)	Expl. No.
2,140	2,715	(575)	1	1,090	1,050	2

Explanation Numbers:

1. *The development of the Manitoba Maintenance Management Program (M^{3}P) and the conversion to digital audio recording in courtrooms were extended pending evaluation of software and completion of contract negotiations.*
2. *Variance is due to year-over-year increases in Corrections' security equipment replacements, Courts' video conferencing expansion, and new expenditures for M^{3}P.*

Justice Initiatives Fund

The $2.25 million Justice Initiatives Fund (JIF) supports development of initiatives to prevent crime and to improve the justice system in Manitoba. Funding is allocated from the Enabling Appropriation (26-3). Actual expenditures are recorded in the sub-appropriations of those divisions of Justice that made the specific expenditures.

The following criteria have been established to help evaluate Justice Initiatives Fund proposals:

- Does the initiative have the potential to enhance public safety by deterring or preventing crime?
- Does the initiative have the potential to enhance public safety by improving the effectiveness and efficiency of the criminal justice system's treatment of offenders and their victims?
- Does the initiative address Aboriginal justice issues?
- Will the initiative build on existing community organizations or mechanisms, and will it be responsive to community input and direction?
- Does the initiative respond to the recommendations of a public inquiry or external review of the department's operations?
- Does the initiative have the potential to improve the effectiveness or enhance the efficiency of Manitoba Justice's non-criminal service areas?
- Will the initiative be cost-shared with other levels of government, community organizations, and/or private sector partners?
- Can the initiative be maintained in the long run without significantly increasing government expenditures?

2008/2009 Justice Initiatives Projects and Allocations

Aboriginal Community Based Probation Services – This project supported the development of proposals to address Aboriginal justice issues with the Manitoba Métis Federation (MMF), Southern Chiefs' Organization (SCO) and Manitoba Keewatinowi Okimakanak (MKO). In 2008/2009, the partners redirected their efforts and commenced work on an expanded focus of the First Nations Community Justice Worker Program with more direct and immediate benefits to Aboriginal communities. Total project funding: $2,383; 2008/2009 funding level: $125

Aboriginal Council of Winnipeg and Southern Chiefs' Organization – Onashowewin – This community-based Aboriginal justice program provides community justice alternatives to both adult and young offenders in Winnipeg. Total project funding: $1,542; 2008/2009 funding level: $200

Aboriginal Justice Strategy – This project supports the expansion of the First Nations Community Justice Worker Program within Manitoba Keewatinowi Okimakanak (MKO) communities and the development of similar programs in Manitoba Métis Federation (MMF) and Southern Chiefs' Organization (SCO) communities. The MKO First Nations Justice Strategy (FNJS) that provides the template for expansion offers restorative justice approaches in MKO First Nation communities through a Cree Magistrates Court, and the diversion of appropriate offences to community justice committees. Total project funding: $617; 2008/2009 funding level: $437 (Corrections and Courts)

Crime Prevention – The Manitoba Justice Crime Prevention Fund provides financial support to various crime prevention groups and projects to aid in making Manitoba's communities safer places to live. Total 2008/2009 funding level (ongoing funding): $57

Electronic Monitoring – This new pilot project is testing the use of electronic monitoring technology to provide GPS surveillance of young offenders charged with auto theft in Winnipeg. Total 2008/2009 funding: $122

Healthy Child Manitoba – Led by the Healthy Child Committee of Cabinet, Healthy Child Manitoba bridges departments and governments and, together with the community, works to improve the well-being of Manitoba's children and youth. Manitoba Justice contributes towards a co-ordinator of networking services for the Manitoba Strategy Responding to Sexually Exploited Children and Youth. Total project funding: $100; 2008/2009 funding level: $15

Manitoba Justice

Historical Information

Five-Year Expenditure and Staffing Summary by Appropriation $(000s)

For Years Ending March 31, 2005 to March 31, 2009

APPROPRIATION	Actual/*Adjusted Expenditures									
	2004/05		2005/06		2006/07		2007/08		2008/09	
	FTE	$(000's)	FTE	$(000's)	FTE	$(000's)	FTE	$(000's)	FTE	$(000's)
04-1 Admin. & Finance	69.50	5,314	70.50	5,869	60.50	5,830	63.50	6,509	63.50	6,643
04-2 Criminal Justice	240.80	98,190	244.80	106,143	259.80	110,831	279.30	121,206	294.30	131,021
04-3 Civil Justice	196.00	24,656	207.50	25,487	208.50	26,607	211.50	26,470	67.00	27,420
04-4 Corrections	1,317.14	102,931	1,315.14	112,565	1,394.04	121,401	1,413.23	134,003	1,509.64	155,928
04-5 Courts	548.80	39,585	489.80	41,326	463.80	43,618	471.80	45,067	478.80	46,483
04-6 Costs Related To Capital Assets		1,619		1,878		2,040		2,194		2,127
Total	**2,372.24**	**272,295**	**2,327.74**	**293,268**	**2,386.64**	**310,327**	**2,439.33**	**335,449**	**2,413.24**	**369,622**

Note: The 2008/09 position count for Civil Justice reflects the exclusion of Legal Aid positions due their crown corporation status. The 2005/06 position count for Courts reflects the exclusion of Judge's and Master's positions and 2006/07 reflects the exclusion of Judicial Justices of the Peace in recognition of their judicial independence.

Legal Aid – FASD Youth Accommodation Pilot Project – This funding represents Legal Aid Manitoba's contribution to a three-year federal/provincial funded project to assist youth who become involved with the criminal justice system and are affected by fetal alcohol spectrum disorder (FASD). Key goals of the project are to develop best practices and resources for lawyers involved with FASD clients, and develop a resource guide for parents and caregivers of FASD children at risk of becoming involved with the legal system. Total project funding: $30

Legal Representation – Mathew Dumas Family – The family was granted standing at the inquest into the circumstances surrounding the January 2005 death of Mathew Dumas following a shooting by a Winnipeg Police Service member. Total funding: $25

Lighthouses – This program stimulates the development of partnerships that support recreational, educational and social programs for young Manitobans. Lighthouses makes use of schools, recreation centres and other community facilities outside school hours for sports, arts, music and other activities organized by and for local youth. Manitoba Justice funded 33 Lighthouse sites in Winnipeg and 22 sites in rural Manitoba in 2008/2009. Annual funding for each site is $12. Total project funding: $4,212; 2008/2009 funding level: $627

New Directions for Children, Youth, Adults and Families Agency – This funding supports the ongoing operation of the Transition, Education and Resources for Females (TERF) program, aimed at developing healthy lifestyles for young women, adult women and transgendered individuals who have been exploited through prostitution. Total project funding: $1,467; 2008/2009 funding level: $177

Safe Schools Manitoba – Safe Schools Manitoba is a partnership initiative of organizations committed to working together to enhance the safety of Manitoba's schools and communities. The partners include Manitoba Education, Citizenship and Youth, Manitoba Justice, professional associations, schools, law enforcement, social service agencies, youth, parents and community agencies. Total project funding from Manitoba Justice: $430; 2008/2009 funding level: $66

SafetyAid Crime Prevention for Older Manitobans – The SafetyAid program, a crime prevention program for older Manitobans, was first launched in 2003. This two-part senior home security program, funded jointly by Justice and Healthy Living, helps prevent break and enters and home invasions. The program consists of a SafetyAid team and SafetyAid forgivable loans through the Home Adaptation for Seniors Independence (HASI) program. Total project funding from Manitoba Justice: $810; 2008/2009 funding level: $150

Justice Initiatives Fund

Allocated 2008/09 $(000s)	Estimate 2008/09 $(000s)	Variance Over (Under) $(000s)	Expl. No.	Allocated 2007/08 $(000s)	Variance Over (Under) $(000s)	Expl. No.
2,031	2,250	(219)	1	2,071	(40)	1

Explanation Number:

1. *Based on the above noted approvals, a total allocation of $2,031 was made to Manitoba Justice. Actual expenditures, however, were $2,041, and these details are provided in the JIF tables for the originating divisions. The balance of available funds ($219) remained unallocated at year-end.*

Five Year Funding Allocation Summary

2004/05 $(000s)	2005/06 $(000s)	2006/07 $(000s)	2007/08 $(000s)	2008/09 $(000s)
2,023	2,012	2,192	2,071	2,031

Sustainable Development

Principles and Guidelines

Manitoba Justice is committed to carrying out its responsibilities in accordance with *The Sustainable Development Act*.

The act identifies a set of principles and guidelines to follow for making sustainable decisions. The seven principles of sustainable development are: integration of environmental and economic decisions, stewardship, shared responsibility and understanding, prevention, conservation and enhancement, rehabilitation and reclamation, and global responsibility. The six guidelines are: efficient use of resources, public participation, access to information, integrated decision making and planning, waste minimization and substitution, and research and innovation.

The department's vision of a safe, just and peaceful society has a connection with the sustainable development principles in that both are committed to building safe, secure and healthy communities.

The department's ongoing provision for policing, crime prevention, public safety and Aboriginal justice initiatives best illustrate Manitoba Justice's contribution to the sustainable principles of prevention, shared responsibility and understanding, and global responsibility.

Prevention

Prevention is defined as anticipating and preventing or mitigating significant adverse economic, environmental, human health and social effects of decisions and actions. It pays particular attention to decisions that may not have entirely certain results, but which, on reasonable and well-informed grounds, appear to pose serious threats to the economy, the environment, human health and social well-being.

Even though many elements of the Manitoba Justice's core service delivery operation are focused on addressing crimes that have already been committed, the department has stepped out beyond traditional roles to aid in prevention by developing and partnering with other governmental and external agencies on a variety of innovative crime prevention initiatives.

Highlights of Justice initiatives in 2008/2009 that furthered the goal of preventing crime to enhance public safety are outlined below.

- A one-year electronic monitoring pilot project to track high risk auto thieves using global positioning system (GPS) technology was initiated as a part of the Winnipeg Auto Theft Suppression Strategy.
- The department established the Criminal Property Forfeiture Unit whose director can apply to the Court of Queens' Bench for orders to seize either the profits from crime, or property that would otherwise be used to commit crimes or be bought with the proceeds from crime.
- The Public Safety Investigations Unit closed 70 operations in problem properties during the 2008 calendar year in accordance with *The Safer Communities Neighbourhoods Act* and *The Fortified Buildings Act*.
- Corrections continued to operate a gang suppression and prevention initiative called 'Spotlight'. The division also worked in partnership with the National Crime Prevention Centre to support five specific gang prevention initiatives in Winnipeg's inner-city.
- To balance the need for public safety and patient confidentiality, *The Gunshot and Stab Wounds Mandatory Reporting Act* was established to make it mandatory for health-care facilities to report all gunshot wounds and stab wounds that appear to have been inflicted by another person to police.
- The department continued to notify Manitobans of high-risk sex offenders by way of bulletins on the Justice website. Pictures and descriptions of offenders that Manitoba police services have made fully public through a formal notification are posted on the site.

Shared Responsibility and Understanding

The department considers its Aboriginal justice initiatives to be good examples of shared responsibility and understanding. This principle is defined as actions that foster a partnership approach to decision making and program delivery. The actions are taken to engage, involve and reflect the interests of various Manitoba communities and groups in departmental decisions and actions.

Manitoba Justice's Aboriginal justice objectives are focused on several areas, including encouraging and supporting the development of Aboriginal policing programs, addressing the needs of Aboriginal accused and sentenced offenders, and supporting the development of Aboriginal justice programs and services.

In 2008/2009, Manitoba Justice can highlight the following accomplishments in the area of Aboriginal Justice.

- Peguis First Nation was added as a new circuit court location in 2008. The Peguis circuit court serves the Peguis, Fisher River and Jackhead First Nation communities. A total of 29 circuit point locations are in First Nations communities.
- In 2008/2009, Manitoba increased its grant to the Manitoba Keewatinowi Okimakanak First Nations Justice Strategy (MKO-FNJS) from $60 to $100 to enable MKO to increase its support for justice workers, community justice committees and volunteers. It focuses on restorative rather than retributive justice and utilizes healing, teaching, support and community restoration. Work also commenced on the development of similar programs in Manitoba Métis Federation (MMF) and Southern Chiefs' Organization (SCO) communities.
- As part of the First Nations Justice Strategy, the Courts Division continued its partnership with Manitoba Keewatinowi Okimakanak (MKO) and the Centre of Education and Work to develop the Prior Learning and Recognition (PLAR) process for diplomas in restorative justice for community justice workers.
- Ongoing support was provided to Onashowewin, a community-based Aboriginal justice program that provides community justice alternatives to both adult and young offenders in Winnipeg.
- The Corrections Division continued its community participation agreements with First Nations communities for community corrections services.
- The department maintained its federal-provincial agreement with the Dakota Ojibway Police Service to provide Aboriginal police services to five First Nations communities and also supported the RCMP to expand the First Nations Community Policing Service (FNCPS) from nine to ten First Nations communities.

Other examples of shared responsibilities and understanding are as follows:

- Victim Services developed the *WISE (Workplace Initiative to Support Employees)* on Family Violence Program in partnership with the departments of Family Services and Housing, and Labour and Immigration. This program promotes family violence awareness and encourages employers to create policies that support affected employees.
- The Corrections Division continued to operate the auto theft suppression strategy in 2008/2009 in collaboration with Manitoba Public Insurance, the Winnipeg Police Service and the Manitoba Prosecutions Service. This four-tiered program seeks to turn low-risk offenders away from auto crime with a community-based intervention strategy.

Global Responsibility

Global responsibility is defined as thinking globally when acting locally, recognizing that there is economic, ecological and social interdependence among provinces and nations, and working co-operatively within Canada and internationally, to integrate economic, environmental, human health and social factors in decision making while developing comprehensive and equitable solutions to problems.

The Minister of Justice and Attorney General of Manitoba advocated for a number of changes intended to improve the administration of justice across Canada through annual conferences of federal, provincial and territorial ministers responsible for justice. Some highlights for the 2008/2009 fiscal year included:

- The Attorney General continued to support the federal government's proposed reform of two-for-one sentencing credits for time served in pre-trial detention. This year the Government of Manitoba raised the need for change with the Government of Canada and federal, provincial and territorial ministers responsible for Justice.
- Provincial and territorial ministers responsible for Justice agreed on the Inter-jurisdictional AMBER Alert Protocol[17] and authorized Manitoba to lead and approach provincial Amber Alert coordinators to seek their adoption of an inter-jurisdictional protocol that would give law enforcement agencies new tools to facilitate the safe return of an abducted child.

[17] The Amber Alert system is a voluntary partnership between law enforcement agencies and broadcasters to send out an emergency alert to the public when a child has been abducted and it is believed that the child's life is in imminent danger.

- The ministers supported the need to continue considering ways to ensure that human traffickers are held accountable and that appropriate steps are taken to protect and assist trafficking victims.

In addition to furthering three core principles of sustainable development, the department also made contributions to three of the six guidelines of *The Sustainable Development Act*.

Public Participation

To respond to the Taman Inquiry Report recommendation for independent investigations of any alleged criminal activity of a member of a police service, public and stakeholder consultations were held by the department on three legislative proposals to replace *The Provincial Police Act* with a new *Police Services Act*. By the end of March 2009, public meetings took place in Brandon, Thompson, Morden and Winnipeg. Meetings were also undertaken with a variety of stakeholders including Aboriginal agencies, academics, police leaders, and other community organizations, plus the review of over 30 submissions to the department's website and consultation team.

Access to Information

The department provides information to the general public through news releases, the Courts, processing requests under *The Freedom of Information and Protection of Privacy Act* (FIPPA) and *The Personal Health Information Act* (PHIA), and its website at www.gov.mb.ca/justice. The following information upgrades were made to the Manitoba Justice website during the year:

- The *Family Law in Manitoba, 2008* booklet was published. This resource provides a wealth of information on family law and the legal system in Manitoba. Topics covered include marriage, separation and divorce, custody, support, adoption, change of name, death in the family, unmarried relationships, and more.
- The final report was posted to inform the public on the Taman Inquiry into the investigation, prosecution and justice services provided to the families in relation to the death of Crystal Taman.
- A new section of the site was created for the Police Act Consultations that invited Manitobans to provide their comments to help shape amendments to *The Provincial Police Act*.
- New bulletins and updates were published as necessary, including the notification of high-risk sex offenders.

Legal Aid Manitoba also updated, revised and posted its *Area Director's Manual* that governs the processing of legal aid applications, certificate issuances, refusals, and cancellations under "Resources for Lawyers" on the agency's website at http://www.legalaid.mb.ca/.

Integrated Decision Making and Planning

This guideline is defined as those actions taken to establish and amend decision making and planning processes to make them more efficient, timely, accountable and cross-sectoral, and address and account for intergenerational effects.

Manitoba Justice's commitment to this cause is well illustrated by the department's participation in a number of cross-sectoral initiatives, along with the department's work on process and procedural reviews.

The following are highlights of the department's cross-sectoral work during the year:

- Five new Lighthouses opened in 2008/2009 bringing the total to 55 locations helping communities engage young people in developing their own crime prevention and recreation activities outside school hours.
- Domestic Violence Intervention Unit counsellors continued to work closely with the Winnipeg Police Service and continued to increase the number of home visits provided by the program.

It should be noted that Legislative Counsel, with support from other legal branches, has an integral role creating acts of legislation and related policy initiated by the Government of Manitoba, including acts that contribute to sustainable development.

Sustainable principles and guidelines, including but not limited to integrated decision making and planning, efficient use of resources, and waste minimization and substitution are further demonstrated in the department's procurement practices.

Sustainable Development Procurement

Manitoba Justice's sustainable procurement practices are based on the provincial government's *Sustainable Development Procurement Guidelines, Goals and Organizational Action Plan*. Manitoba Justice achieved the following for the 2008/2009 fiscal year:

1. Education, Training and Awareness – to ensure a culture that supports sustainable procurement practices exist within the provincial government

This year the department went beyond its normal boundaries to increase awareness of the benefits of sustainable development by sending Justice's designated senior official on sustainable development to Ottawa to participate in a Department of Justice Canada sustainable development conference. The purpose of the department's involvement was to educate federal government staff on the role, effectiveness, and legal and policy implications of *The Sustainable Development Act of Manitoba* as well as the department's experiences working with the act. The conference also provided an opportunity for all participants including the Manitoba Justice representative to learn about the sustainable development laws and experiences presented by Environment Canada, the Province of Quebec's Department of Sustainable Development, Environment and Parks, the International Institute of Sustainable Development, and the Department of Justice Canada.

The department also continued the practice of updating its sustainable development intranet page that is used as a reference guide for department staff. The intranet site includes the department's sustainable action plan, goals, objectives, best practices, reports, a tutorial section, and a resource section with links to external organizations' websites to assist staff researching sustainable products, information and expert opinion.

To expand the knowledge and skills of departmental procurement practitioners, workshops were provided to key procurement staff to learn and understand more about the provincial government's Aboriginal Procurement Initiative. Manitoba Justice also continued with the provision of an online sustainable development procurement tutorial available to train staff on sustainable development procurement.

2. Pollution Prevention and Human Health Protection – to protect the health and environment of Manitobans from possible adverse effects of provincial government operations and activities, and provide a safe and healthy working environment

To contribute to the government's objective to reduce solid waste sent to landfills, the department continued best practices of scanning and storing more documents in electronic form to eliminate paper copies of records, and replacing paper based business magazines and news papers with online subscriptions. The department further reduced paper consumption by printing and copying double-sided or two pages per side, minimizing the printing of draft copies, e-mailing for scheduling, corresponding and reporting, sharing documents online, and providing information to its clients electronically or on compact discs. Manitoba Justice also continued the practice of replacing substantial paper-based mailings with its Internet site to inform the general public about current programs, initiatives and reports. The intranet site was also used to provide important departmental information online for staff reference.

The department maintained government-wide best practices for recycling waste paper, beverage cans, plastic, books, cardboard, milk cartons, VHS tapes, toner cartridges, furniture and equipment. Some branches also reuse file folders from one year to the next. To reduce waste of equipment and furnishings, Manitoba Justice continued buying, repairing, or circulating used furniture and equipment for reuse within the department before making new purchases. An estimated savings of $35 resulted from this practice, along with reducing the amount of waste sent to landfills.

3. Reduction of Fossil Fuel Emissions – to reduce fossil fuel emissions by provincial government operations and activities

Manitoba Justice uses a variety of fleet vehicles for travel to circuit court, transport offenders in custody or property in trust, and business in general. To contribute to the provincial government's overall goal to reduce the consumption of fossil fuels, the department annually reviews its fleet for efficiency and sustainability. In 2008/2009, the department increased its number of environmentally friendly vehicles by 10 for a total of 40, representing 35.5 per cent of its leased fleet. Twenty-three of the 40 environmentally friendly vehicles were equipped to use E85 ethanol fuel, five were electric hybrids, and the remaining 12 were diesel models that can run on biodiesel fuel. Of the five hybrids, one is a plug-in hybrid electric vehicle (PHEV) demonstration project

that is a joint project between Manitoba Justice, Manitoba Science, Technology, Energy and Mines, and Manitoba's Vehicle and Equipment Management Agency. The PHEV is a Toyota Prius that has been converted with Hymotion conversion technology. It can run on electric mode for up to 30 kilometres and significantly reduce fuel consumption when driven in a town or city.

In efforts to substitute regular fossil fuels with ethanol-blended fuel and alternate energy sources, the department's leased fleet started using hybrid electric vehicles that run on a combination of electricity and gas as fuel sources, and increased its use of E10 ethanol-blended fuel in relation to other fuels. Of the grand total 479,472 litres of fuel purchased in the 2008/2009 fiscal year for all leased and owned vehicles and equipment, the department consumed 33.5 per cent ethanol fuel, 9.8 per cent diesel and 56.7 per cent regular unleaded gas. This represents an overall 7.3 per cent increase in cleaner E10 ethanol fuel consumption and a related decrease in regular unleaded gas and diesel fuel consumption.

Overall, the department decreased its fuel consumption by 4,094 litres (0.9 per cent) compared to the previous year. Though the total amount of the department's fuel consumption has been somewhat constant over the past couple of years, the department has maintained consuming approximately 10.0 per cent less fuel compared to the level consumed for operations six years ago. One major factor contributing to this longer term decrease may be the increased use of videoconferencing technology between the courts and correctional facilities, reducing the need to transport offenders in custody.

Further contributions are made by the department to reduce fossil fuel consumption by annually participating in the National Commuter Challenge and continued use of walker and cyclist couriers for deliveries within downtown Winnipeg.

4. Resource Conservation – to reduce the use and consumption of resources by the provincial government in a sustainable and environmentally preferable manner

To assist the provincial government with its commitment to reducing the total consumption of utilities in provincial government premises, the department continued working cooperatively with Manitoba Infrastructure and Transportation in using Leadership in Energy and Environmental Design (LEED) Green Building Rating System™ standards for building projects involving Justice. The department also maintained its commitment to use Power Smart practices in its daily operations. The department also rents a sizable number of energy efficient machines for faxing, photocopying, printing and scanning that have one or more sustainable features such as duplex printing capabilities, energy star rating, econo-mode printing, and use remanufactured toner cartridges. This year, five branches of the department reported the replacement of a number of stand-alone fax, photocopier, scan and print machines with multi-functional printers that perform all functions in one machine. Depending on the office, multifunctional printers can save on paper consumption as well as space and energy.

To increase the proportion of environmentally preferable products and services within the context of reduced resource use, the department purchased products that minimize waste by replacing virgin consumable products with sustainable (green) choices that contain post-consumer waste, are remanufactured, reusable or recyclable. Where possible, the department also purchased products that are non-toxic, biodegradable, energy efficient and use minimal packaging.

This year, the department maintained or slightly increased its averages of green purchases for office paper (98.7 per cent green), hygiene tissue paper (100.0 per cent), caulk, glue and tape (100 per cent), rags and wipes (99.6 per cent), toner cartridges (46.0 per cent), filing supplies (38.1 per cent) and desk chairs (21.8 per cent). Even though the department experienced a reduction of sustainable purchases in other areas, additional notable sustainable purchases made by the department included 83.0 per cent of computer furniture and 55.7 per cent of cleaning implement purchases.

Overall the department decreased its environmentally preferable purchases made through the Material Distribution Agency by 5.4 per cent from the previous year. This can be attributed to less sustainable purchases made in the categories of various cleaning supplies compared to the previous year.

5. Community Economic Development – to ensure provincial government procurement practices foster and sustain community economic development

One of the government's community economic development objectives is to increase the participation of Aboriginal peoples and suppliers in the provision of goods and services to departments. Though long-standing

government policy requires line departments to purchase most goods and services through the provincial government's central departments and agencies, Manitoba Justice directly supported Aboriginal businesses by purchasing a combined total of $546 for various goods and services such as food, hotel accommodations, transportation, interpreter fees, advertising, subscriptions and office room rentals.

Another objective of community economic development is to increase the participation of small businesses, community-based businesses and co-ops in Manitoba. The department regularly supports local businesses when purchasing incidental items that do not require tendering.

Appendix I

In accordance with Schedule N of Order-in-Council 418/2006 (dated September 21, 2006), the Minister of Justice is responsible for administering:

The International Commercial Arbitration Act
The Constitutional Questions Act
The Correctional Services Act
The Court of Appeal Act
The Provincial Court Act
The Court of Queen's Bench Act
The Court Security Act
The Crime Prevention Foundation Act
The Criminal Property Forfeiture Act
The Cross-Border Policing Act
The Crown Attorneys Act
The Child Custody Enforcement Act
The Discriminatory Business Practices Act
The Domestic Violence and Stalking Act
The Enforcement of Canadian Judgments Act
The Enforcement of Judgments Conventions Act
The Escheats Act
The Executive Government Organization Act [Subsection 12(2), only, as Keeper of the Great Seal]
The Expropriation Act
The Family Property Act
The Fatality Inquiries Act
The Fortified Buildings Act
The Gunshot and Stab Wounds Mandatory Reporting Act
The Helen Betty Osborne Memorial Foundation Act
The Human Rights Code
The Inter-jurisdictional Support Orders Act
The Intoxicated Persons Detention Act
The Reciprocal Enforcement of Judgments Act
The Canada - United Kingdom Judgments Enforcement Act
The Jury Act
The Department of Justice Act
The Law Enforcement Review Act
The Law Fees and Probate Charge Act
The Law Reform Commission Act
The Legal Aid Manitoba Act
The Mental Health Act [Part 10 and clauses 125(1)(i) and (j)]
The Minors Intoxicating Substances Control Act
The Privacy Act
The Private Investigators and Security Guards Act
The Proceedings Against the Crown Act
The Profits of Criminal Notoriety Act
The Provincial Police Act
The Public Trustee Act
The Regulations Act
The Safer Communities and Neighbourhoods Act
The International Sale of Goods Act

The Sheriffs Act
The Interprovincial Subpoena Act
The Summary Convictions Act
The Transboundary Pollution Reciprocal Access Act
The Uniform Law Conference Commissioners Act
The Vacant Property Act
The Victims' Bill of Rights
The Witness Security Act

Other statutes related to areas for which the Minister of Justice is responsible:

The Age of Majority Act
An Act to Repeal the Statute of Frauds
The Apportionment Act
The Arbitration Act
The Blood Test Act
The Boundary Lines and Line Fences Act
The Builders' Liens Act
The Class Proceedings Act
The Civil Remedies Against Organized Crime Act
The Controverted Elections Act
The Court of Queen's Bench Small Claims Practices Act
The Court of Queen's Bench Surrogate Practice Act
The Debtors' Arrest Act (Public Unconsolidated)
The Defamation Act
The Dependants Relief Act
The Distress Act
The Domicile and Habitual Residence Act
The Equality of Status Act
The Executions Act
The Factors Act
The Family Maintenance Act
The Fatal Accidents Act
The Federal Courts Jurisdiction Act
The Fraudulent Conveyances Act
The Frustrated Contracts Act
The Garage Keepers Act
The Garnishment Act
The Gold Clauses Act
The Guarantors' Liability Act
The Health Care Directives Act
The Homesteads Act
The Hotel Keepers Act
The Infants' Estates Act
The Interpretation Act
The International Trusts Act
The Intestate Succession Act
The Judgments Act
The Law of Property Act
The Limitation of Actions Act

The Manitoba Evidence Act (Parts I and IV)
The Marine Insurance Act
The Married Women's Property Act
The Mental Health Act (Part 9)
The Mercantile Law Amendment Act
The Mortgage Act
The Newspapers Act
The Nuisance Act
The Occupiers' Liability Act
The Official Securities Act
The Parental Responsibility Act
The Parents' Maintenance Act
The Perpetuities and Accumulations Act
The Petty Trespasses Act
The Powers of Attorney Act
The Presumption of Death Act
The Registration of Property Restraint Orders Act
The Repair Shops Act
The Retirement Plan Beneficiaries Act
The Sale of Goods Act
The Sand and Gravel Act
The Short Forms Act
The Soldiers' Estates Act
The Stable Keepers Act
The Survivorship Act
The Threshers' Liens Act
The Tortfeasors and Contributory Negligence Act
The Trustee Act
The Unconscionable Transactions Relief Act
The Warehousemen's Liens Act
The Wills Act

Appendix II

Court of Appeal Office in Manitoba

Winnipeg

Appendix III

Court of Queen's Bench Offices in Manitoba

Winnipeg
Brandon
Dauphin
Flin Flon
Minnedosa
Morden
Portage la Prairie
St. Boniface
Selkirk
Swan River
The Pas
Thompson
Virden

Appendix IV

Provincial Circuit Court Listing – Winnipeg and Regional

The following is a list of circuit court locations within Manitoba:

Brandon
- Boissevain
- Killarney
- Sioux Valley

Dauphin
- Camperville
- Roblin

Flin Flon
- Cranberry Portage
- Snow Lake

Minnedosa
- Neepawa
- Rossburn
- Russell
- Waywayseecappo

Morden
- Carman

Portage la Prairie
- Amaranth
- Sandy Bay

Selkirk
- Beausejour
- Berens River
- Bloodvein
- Emerson
- Garden Hill
- Gimli
- Lac du Bonnet
- Little Grand Rapids
- Pauingassi
- Poplar River
- Powerview (formerly Pine Falls)
- St. Martin
- St. Theresa Point
- Teulon

Steinbach
- St. Pierre-Jolys

Swan River

The Pas
- Easterville
- Grand Rapids
- Moose Lake
- Pukatawagan

Thompson
- Brochet
- Churchill
- Cross Lake
- Gillam
- God's Lake Narrows
- God's River
- Lac Brochet
- Leaf Rapids
- Lynn Lake
- Nelson House
- Norway House
- Oxford House
- Shamattawa
- South Indian Lake
- Split Lake

Virden

Winnipeg – 408 York Avenue
- Altona
- Arborg
- Ashern
- Fisher Branch
- Lundar
- Manitoba Youth Centre
- Morris
- Peguis
- Stonewall

Winnipeg – St. Boniface

Winnipeg – Summary Convictions Court

Appendix V

The Corrections Division has **MANCOR Prison Industries** currently operating in several of its institutions. The purpose of prison industries is to teach offenders marketable trades that would increase their chances of post-release employment, as well as contribute to their rehabilitation and re-integration into society. Work experience for inmates include carpentry, tailoring, upholstery, computer repair, farming and tree clearing.

The financial statements for all provincial **MANCOR** operations for 2008/2009 are provided in the tables below.

MANCOR (Prison Industries) - Financial Statements

MANCOR
BALANCE SHEET
March 31, 2009

ASSETS	**March 31/09**	**March 31/08**
Current		
Cash	1	21
Bank	438	343
Carpentry Program (NOTE 2)	61	85
Inventory	118	94
Accounts Receivable	75	75
Total Current Assets	**$693**	**$618**
Capital Assets		
Machinery & Equipment	$382	$354
Less: Accumulated Amortization	(201)	(181)
Total Capital Assets	**$181**	**$173**
TOTAL ASSETS	**$874**	**$791**
LIABILITIES AND EQUITY		
Accounts Payable	$10	$8
Carpentry-Deferred Liabilities (NOTE 2)	85	85
Tax Liabilities	1	1
Total Current Liabilities	**$96**	**$94**
EQUITY		
Retained Earnings	778	697
TOTAL LIABILITIES AND EQUITY	**$874**	**$791**

MANCOR
INCOME STATEMENT
Year Ended March 31, 2009

	2008/09	2007/08
Sales	$475	$452
Cost of Goods Sold	220	233
Gross Profit	**$255**	**$219**
Operating Expenses	154	142
Capital Asset Amortization	20	22
	$81	**$55**
Grant Revenue (NOTE 2)	0	15
NET INCOME	**81**	**70**
Retained Earnings, Beginning of Year	697	627
Retained Earnings, End of Year	**$778**	**$697**

MANCOR
STATEMENT OF CHANGES IN FINANCIAL POSITION
Year Ended March 31, 2009

	2008/09	2007/08
Cash Derived From (Applied) To:		
Operating		
Net Income (Loss)	$81	$70
Add: Amortization of Capital Assets	20	21
Change in		
Inventory	(24)	(20)
Receivables	0	(7)
Payables	2	88
Investing		
Capital Acquisitions	(28)	(20)
Increase (Decrease) in Cash and Deposits	**51**	**132**
Cash and Bank Deposits:		
Beginning of Year	449	317
End of Year	**$500**	**$449**

MANCOR
NOTES TO FINANCIAL STATEMENTS
MARCH 31, 2009

1. The 2008/2009 fiscal year covered the period of April 1, 2008 to March 31, 2009.
2. MB 4 Youth of the Department of Education, Citizenship and Youth provided a grant of $100 in 2007/08 to start a carpentry training course. At March 31, 2009, MANCOR has utilized $39 to fund set up costs.

Appendix VI

The following is a list of some of the most commonly contacted branches, boards, agencies and programs reporting to the Minister of Justice. To contact offices not listed here, please call:

Manitoba Government Inquiry
1-866-626-4862, toll free outside Winnipeg

Aboriginal and Community Law Enforcement
1430 - 405 Broadway
Winnipeg MB R3C 3L6
945-2825

Aboriginal Courtwork Program
230 - 405 Broadway
Winnipeg MB R3C 3L6
945-3909

Administration and Finance Division
1110 - 405 Broadway
Winnipeg MB R3C 3L6
945-2878

Civil Legal Services
730 - 405 Broadway
Winnipeg MB R3C 3L6
945-2832

Compensation for Victims of Crime
1410 - 405 Broadway
Winnipeg MB R3C 3L6
945-0899

Constitutional Law
1205 - 405 Broadway
Winnipeg MB R3C 3L6
945-0679

Corrections Division
810 - 405 Broadway
Winnipeg MB R3C 3L6
945-7804

Court of Queen's Bench
Main Floor - 408 York Avenue
Winnipeg MB R3C 0P9
Civil: 945-0344
Criminal: 945-3040
Family Division (Divorce): 945-0344
Administration: 945-0980

Courts Division
235 - 405 Broadway
Winnipeg MB R3C 3L6
945-0504

Criminal Justice Division
1430 – 405 Broadway
Winnipeg MB R3C 3L6
945-8042

Deputy Minister's Office
110 Legislative Building
450 Broadway
Winnipeg MB R3C 0V8
945-3739

Domestic Violence Intervention Unit
1410 – 405 Broadway
Winnipeg MB R3C 3L6
945-5448

Family Law
1230 - 405 Broadway
Winnipeg MB R3C 3L6
945-0268

Human Resource Services
1130 - 405 Broadway
Winnipeg MB R3C 3L6
945-3204

Human Rights Commission
7th Floor - 175 Hargrave Street
Winnipeg MB R3C 3R8
945-3007

Law Enforcement Review Agency
420 - 155 Carlton Street
Winnipeg MB R3C 3H8
945-8667

Law Reform Commission
432 - 405 Broadway
Winnipeg MB R3C 3L6
945-2896

Legal Aid Manitoba
4th Floor - 294 Portage Avenue
Winnipeg MB R3C 0B9
985-8500

Legislative Counsel
410 - 405 Broadway
Winnipeg MB R3C 3L6
945-5758

Maintenance Enforcement
225 - 405 Broadway
Winnipeg MB R3C 3L6
945-7133

Manitoba Prosecutions Service
510 - 405 Broadway
Winnipeg MB R3C 3L6
945-2852

Minister's Office
104 Legislative Building
450 Broadway
Winnipeg MB R3C 0V8
945-3728

Office of the Chief Medical Examiner
210 - 1 Wesley Avenue
Winnipeg MB R3C 4C6
945-2088

Policy Development and Analysis
1210 - 405 Broadway
Winnipeg MB R3C 3L6
945-6726

Provincial Court
Main Floor, 408 York Avenue
Winnipeg MB R3C 0P9
945-3454

The Public Trustee
155 Carlton Street – Suite 500
Winnipeg MB R3C 5R9
945-2700

Review Board
2nd Floor - 408 York Avenue
Winnipeg MB R3C 0P9
945-4438

Sheriff Services, Civil Enforcement Section
2nd Floor - 373 Broadway
Winnipeg MB R3C 4S4
945-2107

Vehicle Impoundment Registry
2nd Floor - 408 York Avenue
Winnipeg MB R3C 0P9
945-4454

Victim/Witness Assistance
400 - 408 York Avenue
Winnipeg MB R3C 0P9
945-3594

Victim Services
1410 - 405 Broadway
Winnipeg MB R3C 3L6
945-6851
1-866-484-2846

Le rapport est publié en anglais seulement, mais les principales parties ont été traduites en français pour que vous puissiez les consulter sur le site Web de Justice Manitoba à l'adresse suivante: www.gov.mb.ca/justice.

An English version of this *Annual Report* can be found on the Internet at www.gov.mb.ca/justice.